

CABINET AGENDA



**TUESDAY 21 MAY 2024 AT 7.30 PM
CONFERENCE ROOM 2 - THE FORUM**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

Councillor Capozzi	Councillor England (Leader)
Councillor Tindall	Councillor Wilkie
Councillor Bromham	Councillor Allen
Councillor Dhyani (Deputy Leader)	

For further information, please contact Democratic Support or 01442 228209

AGENDA

1. MINUTES (Pages 3 - 4)

To confirm the minutes of the previous meeting

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent

and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial

(ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct for Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements and ask questions in accordance with the rules as to Public Participation.

5. REFERRALS TO CABINET

There were no referrals to Cabinet

6. CABINET FORWARD PLAN (Page 5)

7. LOCAL CONNECTION POLICY (Pages 6 - 30)

8. MARKYATE CONSERVATION AREA CHARACTER APPRAISAL (Pages 31 - 79)

9. CORPORATE HEALTH & SAFETY POLICY (Pages 80 - 109)

10. AFFORDABLE HOUSING SPD (Pages 110 - 297)

MINUTES

CABINET

23 APRIL 2024

Present:

Members:

Councillors: Tindall (Leader)
Bromham
Dhyani
England (Deputy
Leader)
Weston
Wilkie

Officers:	Claire Hamilton	Chief Executive
	Darren Welsh	Strategic Director of Housing & Property Services
	Mark Brookes	Assistant Director - Legal and Democratic Services (Monitoring Officer)
	Natasha Beresford	Assistant Director, Housing Operations and Safe Communities
	Fiona Jump	Head of Financial Services (Deputy S151)

The meeting began at 7.30 pm

CA/34/21 **MINUTES**

The minutes of the last meeting were approved.

CA/35/21 **APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Capozzi

CA/36/21 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

CA/37/21 **PUBLIC PARTICIPATION**

There was no public participation.

CA/38/21 **REFERRALS TO CABINET**

There were no referrals to Cabinet.

CA/39/21 CABINET FORWARD PLAN

The forward plan was noted

CA/40/21 QUARTERLY STRATEGIC RISK REGISTER

Decision

To approve the Q3 2023-24 update on the Strategic Risk Register.

Advice

Recommendation agreed

For full discussion, please see the video minutes.

CA/41/21 ANTI-SOCIAL BEHAVIOUR POLICY

Decision

That Cabinet approves the Anti-Social Behaviour Policy.

Advice

Recommendation agreed

For full discussion, please see the video minutes.

CA/42/21 CONSTITUTIONAL UPDATES

Decision

RESOLVED TO RECOMMEND

1. That Cabinet **recommends that Council** agree the amendments to Part 2, 3 and 4 of the Constitution as referenced in the report and annexed to this report.
2. That Cabinet **recommends that Council** agree the amendments to the Council's Financial Regulations as highlighted in the report in section 3 and annexed to this report.

Advice

Recommendation agreed

For full discussion please see the video minutes.

The Meeting ended at 8.00 pm

CABINET FORWARD PLAN

	DATE	MATTERS FOR CONSIDERATION	Decision Making Process	Reports to Monitoring Officer/ S.151 Officer	CONTACT DETAILS	BACKGROUND INFORMATION
	18/06/24	CIL Review		30/05/24	Sara Whelan – Assistant Director Planning Sara.whelan@dacorum.gov.uk	
	18/06/24	Bovingdon Neighbourhood Plan		30/05/24	James Doe Strategic Director Place James.doe@dacorum.gov.uk	
	18/06/24	Provisional Outturn Report		30/05/24	Nigel Howcutt – Chief Finance Officer Nigel.howcutt@dacorum.gov.uk	
	18/06/24	Sports Pitches Project		30/05/24	David Barrett Assistant Director - Strategic Housing and Delivery David.Barrett@dacorum.gov.uk	
	23/07/24			04/07/24		
	10/09/24	Tenancy Strategy		23/08/24	Natasha Beresford – Assistant Director Housing Operations and Safer Communities Natasha.beresford@dacorum.gov.uk	



Report for:	Cabinet
Title of report:	Local Connection Policy for Other Affordable Housing Tenures
Date:	21 May 2024
Report on behalf of:	Councillor Simy Dhyani, Portfolio Holder for Housing and Property Services
Part:	I
If Part II, reason:	N/A
Appendices:	Draft Local Connection Policy for Other Affordable Housing Tenures Community Impact Assessment Glossary & key definitions
Background papers:	
Glossary of acronyms and any other abbreviations used in this report:	NPPF – National Planning Policy Framework

<p>Responsible Officer</p> <p>Julie Abbey-Taylor, Head of Investment & Delivery</p> <p>✉ 📞</p> <p>Julie.Abbey-Taylor@dacorum.gov.uk 07977 056553</p>

Corporate Priorities	<ul style="list-style-type: none"> • Building strong and vibrant communities • Ensuring economic growth and prosperity • Providing good quality affordable homes, in particular for those most in need
Wards affected	ALL
Purpose of the report:	To gain approval for a local connection policy for affordable tenures not covered by the housing register
Recommendation (s) to the decision maker (s) :	That the Local Connection Policy is approved
Period for post policy review:	Two Years

1 Introduction/Background:

Dacorum Borough Council is committed to ensuring that Affordable Housing within the borough is available to local people who have a housing need that cannot be satisfied by the open market alone.

The Housing Allocations Policy, currently in place, refers to the allocation of social housing and Affordable Homes for Rent via the housing register and for which the Council will generally have nomination rights. There are other Affordable Housing tenures that can offer eligible households a subsidised route to home ownership and/or provide sub-market rents. Such properties do not always require households to register with the Council and the Council does not always have nomination rights to these properties.

The Council wishes to ensure that, where possible, Other Affordable Housing is prioritised for people with a local connection to the borough, (or village if applicable), and to essential keyworkers who work, or have a firm job offer, in the borough but who may be finding it difficult to access housing in Dacorum.

With the introduction of First Homes, the Council is also seeking to introduce this Local Connection policy to ensure that any First Homes marketed will be prioritised to those households with a qualifying local connection for three months.

This policy will formalise the Council's approach to affordable tenures that are not allocated via the housing register.

This report will show:

- a. what affordable housing tenures are available;
- b. properties to which this policy would apply;
- c. which households are currently being catered for on the housing register;
- d. which households could be eligible for properties other than those allocated to from the housing register;
- e. the process for prioritising eligible households;
- f. other considerations.

2 Key Issues/proposals/main body of the report:

- a. Affordable housing is defined in Annex 2 to the National Planning Policy Framework (NPPF) and now includes First Homes (see glossary/appendix).
- b. Properties to which this local connection policy would apply – The proposed policy would apply to properties that are not required to be allocated via the housing register. These will be referred to as 'Other Affordable Housing'. This will include affordable home ownership products such as First Homes, Shared Ownership, Rent to Buy and rented tenures such as Intermediate Rent and Affordable Private Rent. (See glossary attached for further information on these housing products).
- c. The housing register caters for those most in need and for whom home ownership and private rent is unaffordable or unattainable. It currently focuses on providing properties at social and affordable rent to lower income households who do not have the financial means to meet their own housing need.

There is currently a restriction on the amount of savings and income an applicant, and/or partner combined, can have to join the housing register.

Applicants to the housing register must also have a local connection, (with some exemptions), to Dacorum and, in some cases, to named villages.

- d. Eligibility for Other Affordable tenures – The Government sets eligibility criteria that can vary slightly between products. The upper income threshold for eligible households is normally £80,000 outside London. Eligibility is also usually restricted to households who do not already own or have an interest in a property. However, an owner-occupier can access shared ownership if their property is sold either before, or at the same time, as buying if they are otherwise unable to purchase a suitable home to meet their needs on the open market without assistance. Examples of this might be a need to re-locate or a relationship breakdown.

Eligible households with incomes of £80,000 or less could be eligible for Other Affordable Housing tenures but may be excluded from the Dacorum housing register because, for example, they exceed the savings and income thresholds or the stricter local connection criteria.

In addition, properties let through the housing register at an Affordable Rent can sometimes exceed the demand on the register (this could in part be due to financial eligibility restrictions). In such cases, we propose that the Council will use their discretion to make these properties available to applicants who are not on the housing register but who have demonstrated they are eligible for Other Affordable Housing.

The wording for the local connection largely reflects the wording within the Council's Housing Allocations Policy, where possible. The time period a local connection is required for has been reduced to one year to reflect the nature of Other Affordable Housing tenures and their status between 'social' housing and more 'intermediate' housing products and so as not to be overly restrictive for all parties as this could discourage local investment in such tenures.

The Government has not set out a national definition for keyworkers or local connections for the purposes of First Homes but, instead, empowers local authorities to take these decisions in the best interests of their areas and residents. In recognition of the fact that keyworkers and essential workers play an integral part in the sustainability of our local communities, it is therefore proposed that those keyworkers who work, or who have a firm offer of a job which falls within the definition of a keyworker within the borough, will also be prioritised for Other Affordable Housing tenures, even if they do not live in Dacorum. A keyworker definition is proposed in the policy. The proposed wording is assembled from a number of sources and is supplemented by the last bullet point which allows for 'other critical workers that the Council, acting reasonably, shall approve'. The policy does allow for workers who provide care services (including those who work in care homes). Where a need is identified for other private sector essential workers this will be considered in future iterations.

To clarify, the policy also recognises that some military personnel, members of the British Armed Forces and, in some instances, their divorced/separated or bereaved spouse or civil partner, will not require a local connection and may even have priority over those that do have a local connection for some properties, for example, Government funded shared ownership.

- e. Process for prioritising eligible households - Other Affordable Housing tenures, including First Homes, will need to conform to this local connection policy. The Housing Needs team at Dacorum Borough Council will be able to verify to the landlord or vendor whether or not the applicant has a local connection in accordance with the policy.
- f. Other considerations –
- i. First Homes – First Homes are expected to be sold directly by the developer/vendor, which leaves the administration and enforcement of First Homes to the local authority rather than a Registered Provider. This includes the checking of a local connection, application forms and documents, providing the vendor with authority to proceed, conveyancing, etc. National planning policy means that circa 25% of s106 affordable

units are likely to be First Homes. The workload will fall on both Housing and Legal services at both initial sale and the point of re-sale. A template S106 including First Homes will also be required. The impact of First Homes, particularly on the Legal department, be explored and considered over the coming months.

- ii. Secondary register – The local authority should consider whether a secondary register for Other Affordable Housing tenures should be introduced and how. It may be that those who did not qualify for the housing register can elect to be held on this register. This would likely require a change to the software for the housing register, which, subject to Cabinet approval of this Policy, will be explored as part of the Housing Transformation and Improvement Programme.

3 Options and alternatives considered

- a. No local connection policy for Other Affordable Housing tenures:
 - This would allow these properties to be immediately let or sold to applicants who live or work outside the borough.
- b. Adopt a local connection for Other Affordable Housing (without including Keyworkers)
 - Whilst people with a local connection would be prioritised, attracting Keyworkers who might not currently live in the borough to work here could be difficult.
- c. Adopt a local connection policy for Other Affordable Housing (including Keyworkers):
 - Properties, including First Homes, would be prioritised for local people
 - Keyworkers could be attracted to jobs within the borough because they would be able to access Other Affordable Housing. This should assist towards making the local community more sustainable and support recruitment to key employment sectors.

4 Consultation

Assistant Director of Planning
Strategic Planning & Regeneration Officers
Assistant Director of Housing Operations & Safe Communities
Housing Needs Manager
Assistant Director of Place, Communities and Enterprise
Assistant Director of People
Legal Governance Manager
Legal Assistant
Head of Financial Services

5 Financial and value for money implications:

None

6 Legal Implications

The policy will need to be referenced in future s106 and nomination agreements and any related policies/procedures.

7 Risk implications:

See 2(f) for other considerations.

Vendors/landlords will need to have a cascade that allows them to sell/let a property without it remaining void for any significant period of time and incurring significant losses. The policy has been designed to provide for this.

8 Equalities, Community Impact and Human Rights:

A Community Impact Assessment has been carried out and is shown at Appendix 4 - there are no negative impacts likely on any protected group and exceptional circumstances can be considered on a case-by-case basis further mitigating this. No further actions therefore required.

Human Rights – there are no Human Rights Implications arising from this report.

9 Sustainability implications (including climate change, health and wellbeing, community safety)

None

10 Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

As cited at 2f (i) there will be unavoidable work required by the Local Authority caused by First Homes, particularly on the Legal department. The local connection policy will be an element of this but will be less impactful and will fall mainly to the Housing Needs team to assess.

11 Statutory Comments

Monitoring Officer:

This policy will help to ensure that any allocation decisions are made on a consistent basis in accordance with relevant government guidance and advice

S151 Officer:

This policy will improve the transparency and consistency of decision making without having a financial impact on the service.

12 Conclusions:

A Local Connection Policy for Other Affordable Housing tenures will prioritise affordable homes (including First Homes) that are not allocated via the housing register for people with a local connection to Dacorum borough or one of the named villages. The policy has been drafted to include essential/keyworkers who have a job offer in the borough in order to help attract staff who would not otherwise have had a local connection to key roles in our public and care sector. The policy is considered flexible enough not to discourage developers and Registered Providers from building and providing affordable homes in Dacorum.

The draft Interim Affordable Housing Supplementary Planning document, also timetabled for Cabinet in May, will help to delivery this policy by drawing attention to it through planning policies.



Local Connection Policy for Other Affordable Housing (i.e. properties not allocated via the housing register)

Version Number: 1

Date of Publication: 05/2024

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1. Accessibility of Document

Our aim is to make our services easy to use and accessible for everyone.

We will take steps to make any reasonable adjustments needed for you to contact us, access our policies, or any requests to provide responses in other formats.

Depending on the individual's needs, these might include:

- Using larger print, or a specific colour contrast
- Giving more time than usual to provide information or comments on a complaint
- Using the telephone rather than written communication
- Communicating with a person through their representative or advocate
- Arranging a single point of contact
- Having an 'easy read' version of the document

If you would like to contact us about reasonable adjustments or alternative formats, please email edi@dacorum.gov.uk or call us on **01442 228000**

If you prefer to write to us, send your letter to:

**Equality, Diversity and Inclusion Team
Dacorum Borough Council
The Forum, Marlowes, Hemel Hempstead
Hertfordshire
HP1 1DN**

You can find information on Advocacy support here:

<https://www.dacorum.gov.uk/home/do-it-online/contact-us/advocacy-support>

2. What is the goal of the policy?

The aim of this policy is to ensure that, where possible, Affordable Housing in Dacorum that is not required to be let through Dacorum Borough Council's Housing Register (i.e. Other Affordable Housing):

- is prioritised for eligible households with a local connection
- helps to deliver a sustainable local economy
- offers a range of housing options and tenure types to residents in housing need

This policy is also designed to be used, at the Council's own discretion, where there is an oversupply of property types that exceed the needs of those on the general housing register.

3. Who and what does the policy impact?

For the purposes of this policy Affordable Housing, at the time of writing, most commonly refers to the definition of Affordable Housing set out in Annex 2 of the National Planning Policy Framework.

The Council's Allocations Policy already addresses the local connection criteria for the housing register for affordable and social rented properties let by registered social landlords in Dacorum.

This Local Connection Policy applies to Other Affordable Housing in Dacorum as described below and will be administered by the Housing Needs Team:

'Other Affordable Housing'

For the purposes of this policy Other Affordable Housing describes Affordable Housing in Dacorum that is not required to be allocated via the Council's Allocations Policy for those on the general housing register. Other Affordable Housing therefore includes First Homes and Intermediate Affordable Housing such as Shared Ownership, Rent to Buy, and Discounted Market Sale, Intermediate and Affordable Private Rent. It will also include, at the Council's own discretion, Affordable Housing for Rent where there is an oversupply of property types that exceed the needs of those on the general housing register.

The policy is designed to benefit local eligible households by prioritising them for Other Affordable Housing in Dacorum.

The policy details to those households, registered providers, developers, landlords and vendors, the Council's expectations with regards to the Local Connection Criteria for Other Affordable Housing tenures to be applied in the Dacorum area.

4. How does the policy comply with the law and other requirements?

All employees, councillors and anyone who delivers services on the Council's behalf e.g. contractors, partners, agents or other third parties with access to the Council's assets, have a responsibility to promptly report any suspected policy breach.

Policy breaches that result from a deliberate act or omission or from an otherwise negligent disregard of any of the Council's supporting procedures, may result in disciplinary action being taken against the employee under their contract of employment or, in the case of a councillor, under the Members' Code of Conduct. In the event that breaches arise from a deliberate or negligent disregard for the Council's policies and/or procedures, by a user who is not a direct employee of the Council, or a councillor, the Council may seek to take such punitive action against that user and/or their employer as the Council deems appropriate.

The Council may refer the matter of any breach of the Council’s security policies and/or procedures to the police for investigation and (if appropriate) the institution of criminal proceedings if in the reasonable opinion of the Council such breach has or is likely to lead to the commissioning of a criminal offence.

5. Supporting Policies or Procedures

1. Procedures / Guidance / Impact Assessments	2. Dependant policies / strategies
Community Impact Assessment Local Connection Policy report	Interim Affordable Housing Supplementary Planning Document Housing Strategy

6. EDI Statement

The Council is committed to promoting equality of opportunity. The Council has procedures in place to ensure that all individuals are treated fairly and without unlawful discrimination.

7. Policy Statement

1.0 Context

- 1.1 This policy supports the Council’s Housing Strategy and the Corporate Plan goal to provide good quality affordable homes.
- 1.2 The policy intends to secure, where possible, Other Affordable Housing (as defined at Para 3 above) for eligible households with a local connection to Dacorum or as defined in the policy.

2.0 Policy content

2.1 Eligibility

Eligibility for Other Affordable Housing is limited to households who:

- do not already own or have an interest in a property and
- cannot usually afford to buy or rent on the open market and

- have a household income below the threshold set by the Government (the current threshold for households outside of London is £80,000).

Eligibility and/or Local Connection criteria for units of Other Affordable Housing would normally be defined either by government and/or as part of the planning conditions or planning obligations contained in a corresponding legal agreement (e.g. s106 and/or nominations agreement).

Where Other Affordable Housing has come forward other than through the planning route, for example grant funded units, eligibility will be determined by considering the terms of any relevant funding agreement and/or any other prescribed eligibility criteria. In summary:

Where Local Connection IS referred to in an agreement and that agreement DOES detail the local connection criteria for Affordable Housing then that agreement must be followed, and this policy need not apply. An example of this would be a Rural Exception Scheme. In all other cases the following will apply:

2.1.1 Local Connection Policy (2.2 to 2.6)

- For Other Affordable Housing, planning and/or nomination agreements that refer to a **Local Connection Policy** where no further detail of said policy is provided, this policy will apply.
- In cases of oversupply of property types that exceed the needs of those on the general housing register then the Council will continue to have nomination rights to these properties but may, at their discretion, choose to apply this **Local Connection Policy**.

2.1.2 Local Connection Criteria (2.2 only)

- Where **Local Connection Criteria** IS referred to in an agreement, but the agreement DOES NOT provide the detail of those criteria then, for tenures that fall within the meaning of Other Affordable Housing in this policy, **Local Connection Criteria** will be taken to mean those criteria defined only at **2.2 below**. An example of this would be First Homes.
- Where Local Connection has NOT been detailed or referenced in any agreement, then, for tenures that fall within the meaning of Other Affordable Housing in this policy, we will ask vendors and landlords to prioritise local people using the **Local Connection Criteria** set out in **2.2 below**. An example of this might be units grant funded under the Homes England Affordable Homes Programme.

2.2 Local Connection Criteria

Households with an income over £80,000 *will not* be eligible for Affordable Housing and should seek housing in the open market.

Some military personnel, members of the British Armed Forces and, in some instances, their divorced/separated or bereaved spouse or civil partner, *will not require a local connection* and may even have priority over those that do have a local connection for some properties. Further information below¹. Where Members of the Armed Forces have not been defined elsewhere this policy will use the same definition used in the Council's Housing Allocations Policy and these households will require no local connection to Dacorum for Other Affordable Housing.

Thereafter applicants or one applicant (in the case of joint applications), for tenures covered by this policy (including First Homes), will need to provide evidence of at least one of the following:

- i. **Current residency:** Normal residence in the 'area' for at least one year immediately prior to exchange of contracts for the relevant dwelling.
- ii. **Employment:** in permanent employment in the 'area', consisting of 16 hours a week or more, for at least six months immediately prior to exchange of contracts for the relevant dwelling. Home workers must show that their main workplace is in the 'area' (in an actual place of work, not where the head/regional office is located).
- iii. **Key worker criteria:** - applicant has been living outside the 'area' but employed or with a firm job offer within the 'area' that falls within the definition of keyworker below.
- iv. **Family connection:** an immediate family member (parents, children, siblings) over the age of 18 has continuously lived in the 'area' for at least the last three years.
- v. **Special circumstances such as caring responsibilities:** a requirement to move to the 'area' to give care or support to a family member (or receive care or support from a family member).
- vi. If you do not meet the above criteria but have exceptional circumstances which you are able to evidence this will be considered on a case-by-case basis.

Where 'area' is the location of the property and falls within one of the named villages boundaries², applicants with a local connection as above to that village shall be prioritised for the first month of marketing before extending priority to people

¹ <https://commonslibrary.parliament.uk/research-briefings/sn04244/>

² Aldbury, Bovington, Chipperfield, Flaunden, Flamstead, Great Gaddesden, Gaddesden Row, Kings Langley, Little Gaddesden, Long Marston, Markyate, Northchurch, Potten End, Wilstone and Wigginton

meeting one or more of the above local connection criteria from the wider Dacorum area for the following two months of marketing.

Keyworker criteria, for the purposes of this policy at (iii), are essential workers defined as:

- clinical staff employed by the NHS to include ambulance drivers, paramedics, healthcare workers;
- providing care services (including those working in care homes);
- police officers, community support officers, and frontline police staff;
- uniformed staff in the Fire & Rescue Service;
- prison officers, and frontline prison staff;
- probation officers;
- public sector employed teachers, social workers, planning and building control officers, environmental health officers, occupational therapists, speech therapists and educational psychologists;
- other critical workers that the council acting reasonably shall approve.

To clarify, the above **Keyworker Criteria** will be interpreted as being the **First Homes Keyworker Criteria** in a legal agreement. First Homes will also be bound by a further three months of marketing without the requirement for a local connection, or as per the corresponding legal agreement.

2.3 Evidence of local connection

Evidence of a local connection will need to be assessed and evidenced by the vendor or landlord, and authorised or rejected by the Council, as per the requirement of any corresponding legal agreement. Where not detailed in a legal agreement the following will apply:

- If the vendor or the landlord is NOT a registered provider of social housing, then: A form/declaration (either agreed between the parties or provided by the Council) and supporting evidence, will need to be completed and signed by both the purchaser and the vendor (if home ownership) or the landlord and tenant (if rented). Evidence must be attached to the form/declaration which would need to be submitted to the Council for approval. The Council may require further proof, confirmation and evidence, which must be provided upon request. No further progress on the purchase or let should proceed unless approval has been provided by the Council in accordance with an agreement, or within ten working days if not otherwise defined.
- If the vendor or landlord IS a registered provider of social housing, then: They must provide details of the prospective purchaser or tenant to the Council for

approval. They must provide supporting evidence to the Council only if requested to do so and within ten working days of the request, or, under the terms of the relevant agreement.

Examples of documents to prove the applicant's and/or the family member's local connection include but may not be limited to:

Proof of identity (full birth certificate or passport), Utility bill, council tax bill, bank statement, pay slips/employment contracts. Carers should provide evidence of a care or support plan from relevant professionals.

2.4 Marketing

Marketing of properties must commence at the time of handover notification, if not before, and notified and evidenced to the Council. At this point the time period for the local connection to apply will begin.

The vendor/landlord will be expected to market Other Affordable Housing tenures to a local audience. Marketing materials should indicate that priority will go to applicants with a local connection to Dacorum.

Marketing must include, but not be restricted to:

Advertising on the vendor's/landlord's website; with estate agents with a local geographical reach and/or on recognised property websites. We would also encourage vendors/landlords to advertise via the council's own communications channels. The Council, at the time of writing, are considering whether it is possible to hold a secondary register for, or to market to, households who may qualify for Other Affordable Housing. Please contact the Council for an update.

Applicants with a local connection will be expected to be prioritised as outlined in 2.2 for the first three months of marketing. An exception to this case would be Shared Ownership homes secured through planning obligations which are being re-sold (i.e. not new build properties at initial sale), in which case the terms of the vendor's lease will apply.

2.5 Releasing a property 'out of area'

Should no applicant with the above local connection be forthcoming in the first three months of marketing the vendor/landlord will be required to present evidence that all reasonable attempts have been made to market the property to households with a local connection during that period. Such evidence would include (but may not be limited to) dated copies of any paper marketing exercise, web promotion, estate agent literature etc.

Properties that, after three months of marketing, are requested to be released 'Out of Area' will require the agreement of Dacorum Borough Council's Head of Housing Operations. Such agreement will not be unreasonably withheld but the Council may wish, for example, to propose that the vendor/landlord consider a tenure conversion of the property.

2.6 Monitoring

The Council may require monitoring reports from the vendor/landlord in accordance with the legal agreement, or otherwise, no more than twice a year.

3.0 Roles and Responsibilities

3.1 Local connection will be administered by the same Housing officers who assess local connection for the housing register

3.2 The S106 Monitoring Officer will ensure compliance with the active marketing of the First Homes for the time period requirements as set out in the s106 and ensure the delivery of First Homes is in accordance with the s106 agreement.

The Strategic Housing, Investment & Regeneration Team (or equivalent) will conduct randomised testing to ensure compliance is adhered to where required in an agreement.

8. Review

The current version of this policy will be held on the Council's intranet (SharePoint) alongside supporting information, such as procedure guidance or impact assessments. Policies and strategies are continually monitored and reviewed at appropriate intervals.

You can find external policies on the Council's website. If a policy has been updated or reviewed, these changes will be shown in the website copy. Internal policies are stored on the Council's intranet (SharePoint) alongside supporting information.

9. Appendix

Appendix 1 Policy Information

N.B. Wherever possible, please use job titles as well as names.

Document Owner – Julie Abbey-Taylor	Service – Strategic Housing & Delivery	Approval Body - Cabinet
Author- Vikki Slawson	Housing & Property Directorate	Date of Publication: 05/2024
Team – Strategic Housing, Investment & Regeneration Team	Version no. 1	Date of Review: 05/2026
Non-executive partners: (any team, external body contributing to the policy/strategy) _____ _____		

Appendix 2 List of Version Control

1. Revision Date	2. Previous Revision Date	3. Previous Revision Level	4. Summary of Changes	5. Approved By (e.g. named officer, SLT, Cabinet)	6. Next Review Date
			N/A – new policy		

Dacorum BC Community Impact Assessment (CIA) Template

Policy / service / decision

Local Connection Policy for Other Affordable Housing (i.e. properties not allocated via the housing register)

Description of what is being impact assessed

What are the aims of the service, proposal, project? What outcomes do you want to achieve? What are the reasons for the proposal or change? Do you need to reference/consider any related projects?

Stakeholders; Who will be affected? Which protected characteristics is it most relevant to? Consider the public, service users, partners, staff, Members, etc

It is advisable to involve at least one colleague in the preparation of the assessment, dependent on likely level of impact

A local connection policy to ensure that affordable homes not allocated via the housing register or by direct let are prioritised for local people and eligible households. The policy covers all affordable housing tenures and aims to maximise the benefit to Dacorum residents by giving priority to those with a local connection when affordable home ownership properties become available.

Evidence

What data/information have you used to assess how this policy/service/decision might impact on protected groups?

(include relevant national/local data, research, monitoring information, service user feedback, complaints, audits, consultations, CIAs from other projects or other local authorities, etc.). You should include such information in a proportionate manner to reflect the level of impact of the policy/service/decision.

We have, where possible, aligned this policy to the Housing Allocations Policy and so have allowed for protected groups as outlined in the table below.

Who have you consulted with to assess possible impact on protected groups? *If you have not consulted other people, please explain why? You should include such information in a proportionate manner to reflect the level of impact of the policy/service/decision.*

- ✓ Paul Hunt – Housing Needs Manager
- ✓ Natasha Beresford – Assistant Director Housing Operations & Safe Communities
- ✓ Julie Abbey-Taylor – Head of Strategic Housing & Delivery
- ✓ Matt Angus – Strategic Housing, Investment & Regeneration Senior Manager
- ✓ Liz Griffiths – S106 Monitoring Officer
- ✓ John Chapman – Strategic Planning & Regeneration

Analysis of impact on protected groups (and others)

The Public Sector Equality Duty requires Dacorum BC to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service/decision will achieve these aims. Using the table below, detail what considerations and potential impacts against each of these using the evidence that you have collated and your own understanding. Based on this information, make an assessment of the likely outcome, **before** you have implemented any mitigation.

- *The PCs of Marriage and Civil Partnership and Pregnancy and Maternity should be added if their inclusion is relevant for impact assessment.*
- *Use “insert below” menu layout option to insert extra rows where relevant (e.g. extra rows for different impairments within Disability).*

Summary of impact		Negative impact / outcome	Neutral impact / outcome	Positive impact / outcome
Protected group	<i>What do you know? What do people tell you? Summary of data and feedback about service users and the wider community/public. Who uses / will use the service? Who doesn't / can't and why? Feedback/complaints?</i>			
Age	The policy is only applicable to those who would be able to take out a tenancy or own/part own a property.	□	⊗	□
Disability (physical, intellectual, mental)	The policy also allows people a local connection for: <ul style="list-style-type: none"> • those who provide care/support to family members who reside in the borough or 	□	⊗	□


<i>Refer to CIA Guidance Notes and Mental Illness & Learning Disability Guide</i>	<ul style="list-style-type: none"> those who live in the borough and receive care/support from a family member those with exceptional circumstances on a case by case basis 			
Gender reassignment	No impact	☐	☒	☐
Race and ethnicity	No impact	☐	☒	☐
Religion or belief	No impact	☐	☒	☐
Sex	No impact	☐	☒	☐
Sexual orientation	No impact	☐	☒	☐
Not protected characteristics but consider other factors, e.g. carers, veterans, homeless,	<p>Care givers and receivers catered for.</p> <p>Armed Forces personnel (and civil partners/spouses) are catered for either as defined for the product itself by government (eg Capital Funding Guide, First Homes guidance), in a s106, or in any event under the same terms as the Housing Allocations Policy used for the</p>	☐	☒	☐

<p>low income, loneliness, rurality etc.</p>	<p>housing register. They are recognised as not needing to have a local connection to Dacorum.</p> <p>The policy caters for those with a valid local connection as prescribed and allows for consideration to be applied on a case-by-case basis.</p> <p>The policy is designed to assist those with lower incomes into Other Affordable Housing tenures without affecting their ability to maintain or afford a property.</p>			
---	--	--	--	--

Negative impacts / outcomes action plan

Where you have ascertained that there will potentially be negative impacts / outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

<p>Action taken/to be taken <i>(copy & paste the negative impact / outcome then detail action)</i></p>	<p>Date</p>	<p>Person responsible</p>	<p>Action complete</p>
<p>N/A</p>	<p>Select date</p>		<p><input type="checkbox"/></p>
	<p>Select date</p>		<p><input type="checkbox"/></p>
	<p>Select date</p>		<p><input type="checkbox"/></p>
	<p>Select date</p>		<p><input type="checkbox"/></p>

	Select date		<input type="checkbox"/>
	Select date		<input type="checkbox"/>
	Select date		<input type="checkbox"/>
	Select date		<input type="checkbox"/>
If negative impacts / outcomes remain, please provide an explanation below.			
N/A			
Completed by (all involved in CIA)	Vikki Slawson		
Date	20.2.2024		
Signed off by	 Assistant Director Place Communities and Enterprise		
Date	27 February 2024		

Entered onto CIA database - date	
To be reviewed by (officer name)	
Review date	

Glossary – key definitions

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions¹:

- a) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).
- b) Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household’s eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used. [These have been replaced by First Homes see below]
- c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
- d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low-cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

First Homes: First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of ‘affordable housing’ for planning purposes. Specifically, First Homes are discounted market sale units which:

- a) must be discounted by a minimum of 30% against the market value;
- b) are sold to a person or persons meeting the First Homes eligibility criteria (see below);

¹ This definition (from the National Planning Policy Framework ‘NPPF’) should be read in conjunction with relevant policy contained in the Affordable Homes Update Written Ministerial Statement published on 24 May 2021. (This related to First Homes also summarised within this appendix)

c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.

Paragraph: 008 Reference ID: 70-008-20210524 of First Homes Guidance states:

As part of the section 106 agreements, local authorities or neighbourhood planning groups can apply eligibility criteria in addition to the national criteria described above. This may involve lower income caps (if this can be justified with reference to local average first-time buyer incomes), a local connection test, or criteria based on employment status. First Homes are designed to allow people to get on the housing ladder in their local area, and in particular to ensure that key workers providing essential services are able to buy homes in the areas where they work. Authorities can therefore prioritise key workers for First Homes, and are encouraged to do so, especially if they have an identified local need for certain professions. The definition of a key worker should be determined locally and could be any person who works in any profession that is considered essential for the functioning of a local area.

Local connections may include (but are not limited to) current residency, employment requirements, family connections or special circumstances, such as caring responsibilities. Authorities should consider the application of these discretions carefully and ensure they do not limit the eligible consumer base to the point that homes become difficult to sell.

Any locally set income caps should be considered with reference to mortgage requirements and loan-to-income ratios for appropriate homes for the area's identified target market for First Homes. Income caps should not be set at a level which would prevent a borrower from obtaining a 95% loan-to-value mortgage for the discounted price of suitable properties.

Any local eligibility criteria will apply for a maximum of 3 months from when a home is first marketed. If a suitable buyer has not reserved a home after 3 months, the eligibility criteria (including income caps) will revert to the national criteria set out above, to widen the consumer base.

In recognition of the unique circumstances of the Armed Forces, local connection criteria should be not be applied for all active members of the Armed Forces, divorced/separated spouses or civil partners of current members of the Armed Forces, spouses or civil partners of a deceased member of the armed forces (if their death was wholly or partly caused by their service) and veterans within 5 years of leaving the armed forces.

Housing Register Policy (as at November 2023)

To join the housing register applicants and/or their partner combined, at the time of writing, must not normally have savings above the threshold of £16,000 (except where a lump sum has been paid to a current or former member of the armed forces as compensation), nor must their income exceed the following thresholds:

1-bedroom/studio property	£44,000
2-bedroom property	£55,000
3 & 4 bedroom property	£66,000

Applicants to the housing register must also have a local connection (with some exemptions) to Dacorum and, in some cases to named villages.

Subject to the exceptions outlined below, applicants must meet the local connection criteria by providing evidence of at least one of the following:

- A ten-year residency within the borough at some point in their lifetime;
- Family connection where an immediate family member (parents, children, siblings) who are over the age of 18 and are resident within the borough for ten years consecutively, immediately preceding the date of application and are still resident at point of allocation;
- Currently in permanent employment within the borough boundary, consisting of 16 hours a week or more, and which has been continuous for the last 24 months. Applicants who are home working must provide evidence that their main workplace is in Dacorum. The employment must be based on actual place of work and not where the head/ regional office is sited.
- Additional local connection criteria apply to certain villages within the borough; applicants will need to meet criteria above for the specific village and applicants with a connection to the specified village are given priority at the short-listing stage (see 5.2). There are, however, a number of circumstances which mean that an applicant may not need to meet the local connection criteria in order to qualify. These include:
Members of the armed forces where the application is made within five years of discharge (includes bereaved spouses and civil partners leaving service family accommodation following the death of their partner).



Cabinet

Report for:	Cabinet
Title of report:	Markyate Conservation Area Character Appraisal
Date:	21 May 2024
Report on behalf of:	Councillor Sheron - Wilkie, Portfolio Holder for Place
Part:	I
If Part II, reason:	N/A
Appendices:	Appendix 1: Markyate Conservation Area Character Appraisal Appendix 2: Community Impact Assessment
Background papers:	None
Glossary of acronyms and any other abbreviations used in this report:	CACA: Conservation Area Character Appraisal NPPF: National Planning Policy Framework

Responsible Officer: Sara Whelan (Assistant Director, Planning)

Report Author: Philip Stanley, Helen Cal-Fernandez



Sara.whelan@dacorum.gov.uk / 01442 228950 (ext. 2950)

Corporate Priorities	<p>The Markyate Conservation Area Appraisal promotes the delivery of all the corporate priorities as set out below:</p> <ul style="list-style-type: none"> • A clean, safe and enjoyable environment • Building strong and vibrant communities • Ensuring economic growth and prosperity • Providing good quality affordable homes, in particular for those most in need • Ensuring efficient, effective and modern service delivery
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	Climate and ecological emergency
Wards affected	Watling
Purpose of the report:	To set out proposals for the adoption of the Markyate Conservation Area Character Appraisal for use in Development Management and Strategic Planning.
Recommendation (s) to the decision maker (s):	That Cabinet: 1) Adopts the Markyate Conservation Area: Character Appraisal as: a) Technical guidance for use in Development Management and to inform the Dacorum Borough Local Plan. b) A material planning consideration for use in the determination of planning applications.
Period for post policy/project review:	It is a statutory requirement for local planning authorities to review their conservation areas from time to time. The need to undertake a continuing re-appraisal will be proportionate to development pressures inside and outside the conservation area.

1 Introduction/Background:

- 1.1 Conservation areas are designated under the provisions of Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990. A conservation area is “an area of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance”. Section 71 of the same Act requires local planning authorities to formulate and publish proposals for the preservation and enhancement of these conservation areas. Section 72 also specifies that, in making a decision on an application for development in a conservation area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 1.2 Providing a full assessment for all the Conservation Areas (25 in all) within Dacorum forms part of the Council’s Conservation Strategy. The following Conservation Area Character Appraisals have been published so far:

Conservation Area	Date of Publication
Aldbury	2008
Bovingdon	2009
Chipperfield	2009
Frithsden	2010
Great Gaddesden	2010
Nettleden	2010
Berkhamsted	2011
Hemel Hempstead (Old Town)	2012
Tring	2019
Little Gaddesden	2021

- 1.3 The Conservation Area Appraisal, (see Appendix 1), highlights the special qualities and features that underpin Markyate’s character and justify its designation. This type of assessment conforms to Historic England guidance and to Government advice in the NPPF. It also supports and amplifies those policies aimed at protecting the overall character of conservation areas and forms part of Dacorum Borough Council’s Local Planning Framework. The adopted Appraisal will provide additional guidance to the Local Plan, and thus become an important material consideration in all relevant planning applications. The weight attached to the Character Appraisal is greater because of the consultation carried out and the comments received. Conservation Area Appraisals help local authorities, applicants and local residents understand the significance of an area and how its character and appearance can be preserved or enhanced. The appraisal is intended to make more effective use of officer time on the processing of planning applications within the Markyate Conservation Area, and it will also support the Council’s position when defending appeals against decisions.

2 Options and alternatives considered

It is necessary to review the boundaries and produce conservation area appraisals in line with national requirements and policy guidance. This is a legal requirement under the Planning (Listed Buildings and Conservation Areas) Act, 1990. As such, it is recommended the Markyate Conservation Area Character Appraisal is adopted. An alternative option is to not adopt the Appraisal / do nothing, but this would not be good practice or conform to policy guidance.

3 Consultation

- 3.1 The following consultation was undertaken:

- A four-week public consultation exercise was carried out between 21st November and 21st December 2022 via the ‘Commonplace’ consultation platform. This received 78 responses.

- An exhibition was held at Markyate Baptist Church on Tuesday 29th November, 3 – 7pm. Posters and copies of the appraisal were displayed and officers were present to answer any questions in relation to the draft Conservation Area Appraisal. Sixteen local residents attended this exhibition.
- Public Notices were displayed on lamp posts in the village, informing of both the consultation period and the exhibition.
- The public consultation exercise was advertised on the Dacorum Borough Council website, with a link to the Commonplace consultation platform
- Letters were delivered to those properties that would be included in the amended conservation area boundary and those properties suggested for inclusion on the 'Local List'.
- Markyate Parish Council and Historic England were also consulted. Written/ E-mail responses were also received from Historic England and two local residents.

3.2 The Conservation Area Appraisal highlights the special qualities and features that underpin Markyate's character and justify its designation.

3.3 Markyate's strengths lie in the historic character of the High Street, which contains many statutory listed buildings, and the character of the streets, which extend off the High Street. It is an unusual conservation area without any key focal point, such as a village church or square. This relates to its historic development as an area, which grew to serve the main road (Watling Street) which runs through the village, rather than as a typical village settlement. It contains numerous buildings of architectural merit but with some mid-20th century infill, which does detract from the character of the area.

3.4 The vast majority of comments made were on specific points. However, where general comments were made, they were largely positive. Several helpful comments were provided in relation to proof reading of the documents and spelling mistakes amended. Property numbers / names were also updated. Some information in the appraisal, ie on windows in a listed building, were out of date so this was corrected.

3.5 It is very pleasing to note that Historic England were complimentary in their response to the document:

We welcome the production of this appraisal for the Markyate Conservation Area. We consider that the appraisal is clearly written, illustrated and set out, and contains a wealth of information regarding the special interest of the area.

The extensions to the Conservation Area boundary were generally supported.

3.6 Historic England further commented:

We support the addition of the terrace on Wesley Road as an area that would contribute positively to the special interest of the area. We note, however, that the uniform appearance of the terrace is currently undermined by the replacement fenestration and boundary treatments and in light of this would refer you to our comments below regarding an Article 4, where we think the designation of this area should be accompanied by measures to secure its enhancement over time. We also support the proposed boundary alteration around Cleveland Road and George Street to include these areas. We have no objections to any of the areas proposed for removal.

3.7 A consultee commented:

Logical extension of existing conservation area. Excludes inappropriate and unworthy developments. Strongly agree with addition of war memorial, Wesley Rd and High Street / George St.

3.8 A further consultee raised concerns over the boundary extensions:

The council, in particular the planning function, already has sufficient powers to control developments. The planning and regulatory processes are meant to be getting simpler but the proposal will mean more regulations and restrictions.

- 3.9 Extending the Conservation Area further to the south (down London Road) was suggested but it was felt the character further down London Road was too mixed, this would over-extend the Conservation Area which could dilute its significance.
- 3.10 There was some confusion over the implications of 'local listing' so further clarification was provided to residents.
- 3.11 Where additional comments were made, these tended to focus on concerns over traffic / congestion along the High Street and local roads, and the parking situation within Markyate. The pressures of new development on the future parking situation were also raised as a concern.

The village is at breaking point with congested roads & lack of parking. Urgent action needs to be taken.

It is difficult to see how any more new developments could be squeezed into this area, given its density and the ever growing issues of parking and through traffic. It would be nice to see the area enhanced, preserved and protected from further development.

- 3.12 The appraisal highlights the special qualities of the Markyate Conservation Area. Key recommendations will be provided within the Conservation Area Management Plan – to be produced.

4 Financial and value for money implications:

- 4.1 There are proposed a number of extensions and deletions to the Conservation Area boundary. Overall this balances out with regards to property numbers and so any resultant requirement for applications for various developments (and their administrative costs) would be nominal.
- 4.2 The appraisal is intended to make more effective use of officer time when considering planning applications and planning appeals from within the Markyate Conservation Area as the special qualities of the Markyate Conservation Area will have already been highlighted.

5 Legal Implications:

The areas in the proposed extensions would be covered by restrictions as per the 1990 Planning (Listed Buildings and Conservation Areas) Act with regards to changes. Conversely, areas removed would lose these restrictions. There are no broader legal implications.

6 Risk implications:

The appraisal complies with legislation and best practice and the intention is therefore to avoid the risk of non-compliance and wasting resources. Not having appraisals increases the chances of the local authority losing appeals, hearings and public inquiries affecting the conservation area. The lack of a conservation area appraisal would result in less understanding of the importance of the Markyate Conservation Area with regards to its historical and architectural interest.

7 Equalities, Community Impact and Human Rights

- 7.1 A Community Impact Assessment (CIA) is prepared to support the Markyate Conservation Area Character Appraisal (see Appendix 2). Conservation Area Appraisals help local authorities, applicants and local residents understand the significance of an area and how its character and appearance can be preserved or enhanced. A four week consultation was held engaging with stakeholders, members of the public and

Markyate Parish Council throughout the formulation of the Character Appraisal. The appraisal is intended to save officer time in the future in processing planning applications within the Markyate Conservation Area, as well as in defending appeals against refused planning applications. The Conservation Area Appraisal has been assessed as a neutral impact upon all the protected characteristics.

7.2 There are no Human Rights Implications arising from this report.

8 Sustainability implications (including climate change, health and wellbeing, community safety)

There are no sustainability implications arising from this report.

9 Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

There are no implications to Council infrastructure arising from this report.

10 Statutory Comments

Monitoring Officer:

The appraisal should help consistent decision making and therefore minimise the risk of challenge through planning appeals or other legal challenge.

S151:

The adoption of the Conservation area will make decision making more transparent and efficient, the adoption of this scheme is not expected to have a financial impact on Dacorum.

11. Conclusions and Next Steps

11.1 The Markyate Conservation Area Character Appraisal has been drafted and finalised through an extensive research and consultation process. This document will assist all parties in understanding the most important characteristics of the Markyate Conservation Area, will provide additional guidance to the Local Plan, and will be an important material consideration in all relevant planning applications.

11.2 Following adoption of the Markyate Conservation Area Character Appraisal, a copy of the document will be made available on the Dacorum Borough Council website. The boundary changes will need to be formalised via a public notice and an entry in the London Gazette.

11.3 The production of conservation area appraisals for Flamstead, Ringshall, Dudswell and Northchurch, Long Marston and Wilstone are underway. Once finalised drafts have been completed, these will go to public consultation and then approval will be sought for their adoption. The aim is to have an appraisal for each Conservation Area within Dacorum, with the priorities for production of further conservation area appraisals being drawn up.

Markyate Conservation Area



Draft Character Appraisal



Acknowledgements

The production of this document has been a collaborative partnership between Dacorum Borough Council's Conservation team, and BEAMS Ltd.

All the photographs in this Appraisal were taken by Dacorum Borough Council and BEAMS Ltd.

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Photographs:

Front Cover (Main picture) - *The curve of the High Street, looking north, at the southern end of the Conservation Area*
Images left to right – *Methodist Church, Albert St; Door case to Cavendish House, High Street; sign for Walter Spary Wheelwright, no. 72 High Street; Sebright House, High Street*

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Part 1 Markyate Conservation Area

Character Appraisal

1 Introduction



Markyate lies in the valley of the River Ver, located in the northwest of Hertfordshire and close to the Bedfordshire border. The Conservation Area is linear and is focussed along a historic stretch of the High Street which follows the line of the Roman road, Watling Street. This linked London with Chester, and this route later became part of a busy coaching road which brought wealth to Markyate. The former coaching

inns and other historic buildings fronting the pavement either side of much of the High Street define the character of the village. Markyate Conservation Area is unusual in that it has no village green, church, or other focal point.

Conservation Area designation

Markyate Conservation Area was first designated on 6th October 1969; the boundary has not been amended since its designation.

Conservation areas are designated under the provisions of Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990. A conservation area is “*an area of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance*”. Section 71 of the same Act requires local planning authorities to formulate and publish proposals for the preservation and enhancement of these conservation areas. Section 72 also specifies that, in making a decision on an application for development in a conservation area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.

The National Planning Policy Framework (2021) sets out the Government's planning policies for England and how these should be applied. Policies set out in Chapter 16 (Conserving and Enhancing the Historic Environment) are most relevant and should be read in conjunction with the associated Planning Practice Guide (July 2019) which provides practical guidance on how the policies laid down within the Framework should be interpreted and implemented.

The Framework notes that heritage assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. The Framework also places certain responsibilities upon Local Planning Authorities in that they should have a positive strategy for the conservation and enjoyment of the historic environment. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. The Framework (para. 191) states: *When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.*

NPPF, paragraph 206 states: *Local planning authorities should look for opportunities for new development within Conservation Areas ... and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*

New development and change will always therefore take place in conservation areas, and the main purpose of designation is to ensure that any proposals will not have an adverse effect upon the overall character and appearance of an area.

This Appraisal highlights the special qualities and features that underpin the character of Markyate and justify its designation. This Appraisal is supported by Dacorum Borough Council's Core Strategy and Local Plan.¹ The Dacorum Core Strategy was adopted 2013 and should be read alongside the saved policies from the Local Plan 2004 for a complete picture of current planning policy.

Historic Environment policy CS27 notes that all development will favour the conservation of heritage assets and that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced. In specifically referring to conservation areas, it notes that development will positively conserve and enhance the appearance and character of conservation areas. Negative features and problems identified in conservation area appraisals will be ameliorated or removed.

Dacorum Borough's Local Plan was adopted on the sixteenth April 2004, and certain policies relate specifically to conservation areas and remain saved and current. In particular:

Policy 120.1: Designation as a conservation area provides the opportunity to preserve or enhance an area of architectural or historic interest by controlling building demolition and the design, scale and proportions of extensions and new development, as well as the type and colour of the materials used.

¹ The New Single Local Plan (to 2036) is in preparation at the time of publication.

Policy 121.1: There is a need to control inappropriate types of permitted development which would be detrimental to a conservation area.²

The Council has also produced relevant guidance, including Development in Conservation Areas or affecting Listed Buildings.³

The purpose of this appraisal is therefore, in accordance with the methodology recommended by Historic England,⁴ to define and record the special architectural and historic interest of the Markyate Conservation Area. A detailed review of

the existing boundaries of the Conservation Area has also been undertaken to determine if areas should be included or removed from the designation.

This appraisal is intended to be comprehensive in its scope and content. However, omission of any specific building, structure, site, landscape feature, space, feature or aspect located in or adjacent to the Markyate Conservation Area should not be taken to imply that it does not hold significance and positively contribute to the character and appearance of the Conservation Area as a designated heritage asset.⁵

² See also Policies 118 and 119.

³ See Environmental Guidelines SPG Section 7: Development in Conservation Areas or affecting listed Buildings. Further advice is contained on the Council's website www.dacorum.gov.uk.

⁴ Historic England Conservation Area Designation, Appraisal and Management Historic England Advice Note 1 (2016), Chapter 3.

⁵ Conservation areas are defined as Designated Heritage Assets within the Framework

2 Location and Setting

Location

Markyate is a large village situated in the north-east of Dacorum Borough and lies approximately 7 miles directly north of Hemel Hempstead, 4 miles south-west of Luton and 4 ½ miles south-east of Dunstable. The small village of Flamstead is located a short distance to the southeast. A bypass for Markyate was constructed to the east of the village in 1956 - 1957 and junction 9 of the M1 motorway is a short distance away. The location of Markyate has made it a popular commuter village and a large part of the village is outside the Conservation Area. The 2011 Census recorded a population of 3135. Luton and Dunstable (both in Bedfordshire) exert much influence on the social and economic life of Markyate. The village is close to the source of the River Ver, the watercourse runs to the east of the High Street and is mainly underground.

Boundaries

Arising out of this appraisal process, it has been agreed that the Conservation Area boundary be amended, with some areas included within the Conservation Area and other areas removed (See map 6).

The early twentieth century terrace along the north side of Wesley Road is included, it is relatively unaltered and a good example of part of the Edwardian development in Markyate. At the south end of the Conservation Area George Street / King Street and part of the High Street are included, this area represents a good example of the nineteenth century development of Markyate and use of local traditional materials. The boundary has been extended to the north to include Markyate War Memorial.

Areas of late twentieth development which do not make a positive contribution towards the character and appearance of the Conservation Area have been removed from the Conservation Area boundary and the boundary rationalised in places.



View of Cell Park from the churchyard of St John the Baptist church

Topography & Landscape Setting

Markyate lies at the convergence of two well-defined valleys at the head of the River Ver, on the dip slope of the chalk. To the northwest there are two dry valleys which lead towards the scarp slope of the chalk at Whipsnade and Dunstable Downs.

The River Ver passes through the parkland setting of The Cell and comes down past the east side of the High Street and parallel to it. The watercourse was bridged over by the by-pass (A5183) when it was constructed in 1955-57 and it does not form part of the setting of the conservation area.

Markyate's buildings stand on land that rises gently as the High Street is followed to the north. Streets leading off to the west, such as Pickford Road, slope gently up from the High Street and to the east the land gently falls away into the Ver valley. The topography consists of gentle slopes and results in picturesque views although it is not spectacularly steep in any part.

The surrounding countryside area is predominately mixed arable use with scattered pockets of pasture, some common land and woodland, and parkland. The countryside around

Markyate is designated as Green Belt, Rural Area and Chilterns Area of Outstanding Natural Beauty (AONB). Markyate Cell Park is recognised as a Registered Park and Garden (grade II listed).

Geology

In common with the areas north of Hemel Hempstead, Markyate stands on Cretaceous deposits of Middle and Upper Chalk. The superficial deposits on this chalk base consist of Chalk with Flints and Pebble Gravels. Flint is frequently used as rubble core and surface cladding in traditional buildings locally. Bricks were also made locally; there was a strong tradition of local brickmaking in Hertfordshire and Bedfordshire.

Archaeology

Due to a settlement pattern that is based on Watling Street, the area in and around the centre of Markyate has much archaeological potential. However, for the Early Prehistoric (before 600 BC) and Iron Age (600 BC to AD 43) periods there is little positive evidence. Five palaeolithic flints were found on Markyate Street (HHER 1308) but their precise location was not recorded.



Construction of the Markyate bypass in 1955 showing the chalk revealed by removal of topsoil, aerial view looking south (BEAMS photographic archive)

Markyate is 6.5 km south-east of the Roman small town of Dvrocobrivis (modern Dunstable) and 12 km northwest of Verulamium (modern Saint Albans). Both were important settlements during the Roman period and the present Markyate High Street follows the line of a major Roman road, Watling Street which ran from St Albans towards Dunstable and then on to Wroxeter and

Chester (Viatores route 1E) (HHER 9525). Roman settlement in the surrounding landscape is thought to have been characterised by dispersed farmsteads. There was a Roman cemetery north of Markyate (HHER 1465).

Saxon (c.450-1066)

A single find represents Saxon presence in Markyate; an 8th century Hiberno-Saxon gilt-bronze belt mount was discovered in the garden

of the Old Vicarage (HHER 1306). Cropmarks reveal a substantial earthwork that once surrounded a spur of high ground known as Humbershoe, southwest of the village. The name Humbershoe is recorded in 1251 as Humbrittesho, thought to derive from 'Hunbheort's spur of land', suggesting that the earthwork is of Saxon date (HER 17817). A list of Historic Environment Records relevant to the Conservation Area is given in Appendix 2.

3 The Historical Development of Markyate

The Medieval Period

There is no mention of Markyate in the Domesday survey (1086) which would suggest there was no significant amount of settlement in this area at that time.

In the early 12th century, Roger, a monk from nearby St Albans Abbey, became a hermit in the woods near Watling Street. He attracted followers, including a woman who became known as Christina of Markyate. She was a devout noblewoman, recluse and religious visionary whose cult had much influence on the ecclesiastical history of the area. The Benedictine Markyate Priory was established by Christina with the support of Abbot Geoffrey de Gorham of St Albans in 1145, in a wood belonging to the Dean and Chapter of St Pauls, London. Excavation in pastureland at Cell Park, the estate associated with the medieval priory, revealed a deposit of medieval and post-medieval ceramic building material (HER 11868).

The Place Names of Hertfordshire (Gover etc.) indicates the first use of 'Markyate' to identify the settlement occurred in the 12th century when references to the Priory began; the name Markyate being derived from 'Mark' meaning boundary and 'yate' meaning gate thus 'boundary gate', early spellings of the name include Mercygate (1247) and Markeyghate (1390). The settlement at Markyate was at the junction of the parishes of Caddington, Studham (Bedfordshire) and Flamstead (Hertfordshire) hence why it did not have its own parish church during the medieval period. There are no records of medieval activity within the conservation area although it is likely some development had occurred along the High Street in association with the existing road, Watling Street (HER2050).



An extract from the 12th century manuscript (The St Albans Psalter)

Christina of Markyate in a miniature of the twelfth century with Christ and the monks

Post Medieval (1500-1900)

After the dissolution of the Monasteries under Henry VIII (in 1536) the Benedictine priory was granted to Humphrey Bourchier in 1539 and demolished. A house (Markyate Cell) was built on or very near the site.

The position of Markyate upon the route of the historic Watling Street route which connected the major settlements of Saint Albans to the south and Dunstable to the north and beyond to Chester would continue to govern the life and economic wealth of the village which expanded significantly during the post-medieval period.

The inns, and several the other properties that line the High Street frequently have older, timber frame, fabric behind their eighteenth or nineteenth century frontages. The Sun Inn (now in residential use) is a sixteenth century former open hall house with a north cross-wing, possibly the oldest building in the Conservation Area and first recorded as a public house in 1605. 64 High Street contains fragments of

sixteenth century wall paintings, suggesting the construction of high-status buildings along Watling Street and considerable local wealth during this period.

In 1657 Thomas Coppin bought the manor of Markyate Cell (now Cell Park) and did much to improve the lives of the residents of Markyate, building new farms and buildings in the village. Coppins School was established in a building on the High Street in 1666, The Old Vicarage was part of the school, but this was demolished in the 1960's.

The main road through Markyate was often in a bad state and not well maintained; this became more of an issue with the establishment of the stagecoach service – in 1657 the stagecoach from London to Coventry and Chester stopped in Markyate. Eventually, in 1723, the road through Markyate became part of the Dunstable-St Albans-London Turnpike Trust established by Act of Parliament in 1722. Money raised from the tolls was used for upkeep of the road, the number of stagecoaches, mail coaches and other vehicles using the roads increased. The



Map 2 Extract from the Dury and Andrews map of Hertfordshire (1766), showing 'Marget Street' and 'Marget Cell' (HALS)

road was improved in the early nineteenth century by Thomas Telford as it formed part of The Holyhead Road for mail coaches.

To support this coaching trade there were many public houses and coaching inns along the High Street including the Red Lion, The Sun, The White Horse, The Cross Keys, Swan Inn, The Five Horseshoes, The Green Man, The Plough and the Sebright Arms. There were other smaller beer houses too and many of the inns and public houses brewed their own beer. The notorious highwayman Dick Turpin apparently stayed at The Sun Inn.

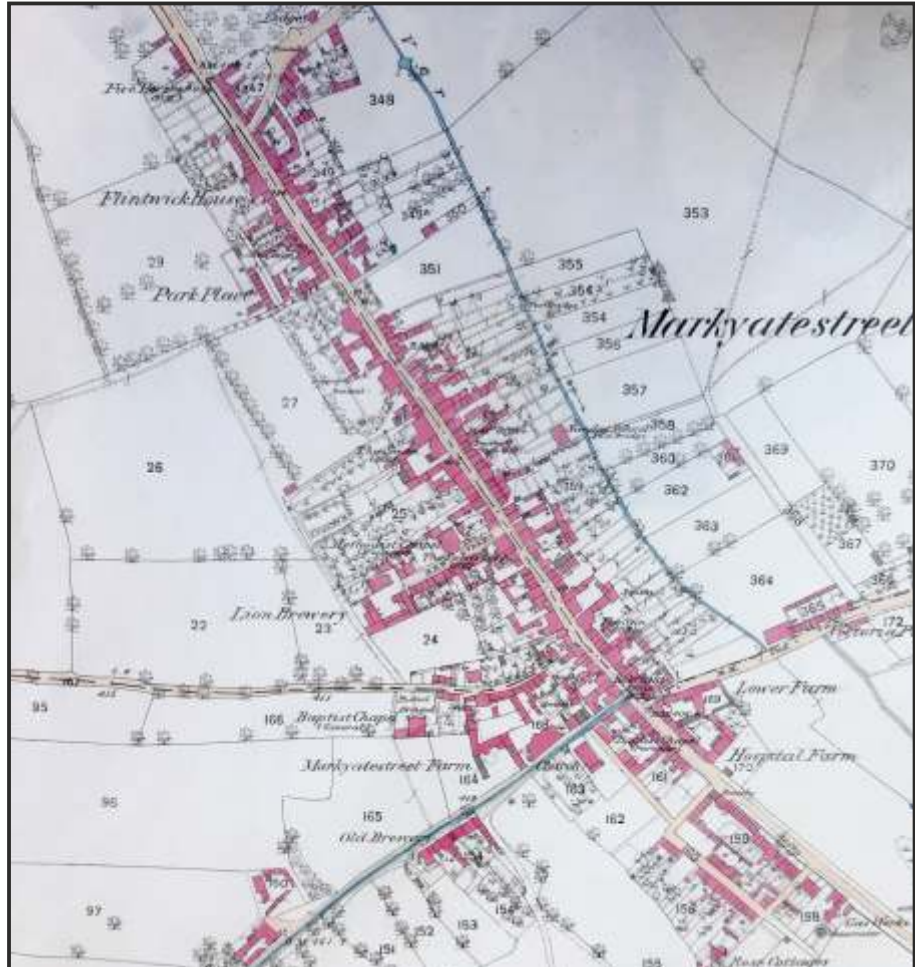


The Lion Brewery was situated at the end of Albert Street; it included a house (8 Albert Street), malt house, malt kiln, boiler house, brewery, stables and office. In the late nineteenth century the brewery also produced bottled mineral water.

Apart from the numerous inns and public houses, other trades flourished to support the stagecoaches such as blacksmiths and wheelwrights, of which the Walker and Spary families are best known. A sign on 72 High Street remains for Walter E Spary Wheelwrights. Several women and girls worked in the bonnet making and straw plaiting industry; Luton, only 4 miles away was the centre for straw hat manufacture. There

were several small hat manufacturers in Albert Street, in workshops and outbuildings at the back of houses. Other inhabitants of the village worked on local farms and estates including Markyate Cell and Beechwood Park, there was also employment in the local brick fields. There were several shops including a butcher, bakers, greengrocers, and hardware stores. Other businesses included a funeral parlour (Nelsey's), builders' yard, photographers, and a watch maker.

Pickfords the well-known carriers had a service operating between Manchester and London in the 1750's, it passed through many towns including Markyate.



Map 3 Extract from the 1880 Ordnance Survey map showing 'Markyate street' with the River Ver running to the east of the High Street & parallel with it (HALS).

In 1780 Thomas Pickford came to live in Markyate (at Jordan's Farm, later Home Farm), on Pickford Road which is named after the Pickford family.

The development of the railway network in the 1840's brought about a sharp decline in



Markyate High Street, looking north with the Swan Inn on the left side

coaching traffic through Markyate, although local carriers remained. The proposed plans to link Markyate to the railway (in Luton and Dunstable) never came to anything which led to a certain degree of economic stagnation, this perhaps has had the effect of preserving the built character of Markyate.

Historically Markyate was partly in Hertfordshire (Flamstead parish) and partly in Bedfordshire (within Studham / Humberstone and Caddington parishes). Finally, in 1897, the civil parish of Humberstone was abolished and combined with part of Houghton Regis (Bedfordshire parish), the Bedfordshire and Hertfordshire portions of Caddington and the Hertfordshire part of Flamstead, to create the new civil parish of Markyate which lay wholly within Hertfordshire.

In the early to mid-nineteenth century dwellings were built along 'New Street' (now Albert Street) and in the mid to late nineteenth century residential development started to occur at the south end of the historic High Street and along Cleveland Road / William Street.

Religion in Markyate

Markyate is unusual in that it did not have its own parish church during the medieval period, this is due to it having been part of other parishes.

Markyate's residents would have had to travel to church in either Flamstead, Caddington or Studham, so construction of the chapel-of-ease by the Coppin family in the south-west corner of the Markyate Cell estate in 1734 would have been welcomed.



Markyate High Street, looking south. Troops on manoeuvres travelling through the village in c. 1912. The cycle shop of the left side (with Lyons Tea sign) was demolished to create the entrance to Roman Way.

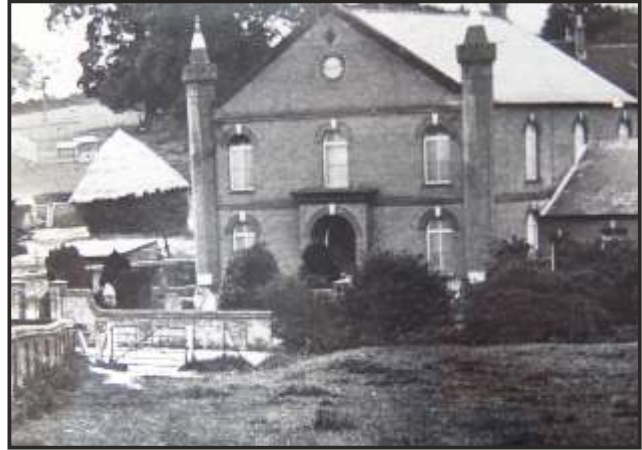
Markyate eventually became an ecclesiastical parish in 1877 and the former chapel of ease of St John the Baptist within Cell Park became the parish church. A new Chancel was added in 1892, this date is commemorated in a foundation stone in the exterior east wall of the church. The Sunday School for the newly formed parish was constructed in the village itself, on Pickford Road, and comprised a 'tin tabernacle', which was in use until the 1990s as a parish hall (HER 30496) when it was demolished for new housing. During the seventeenth and eighteenth centuries, nonconformists (Protestant Christians who were not part of the Church of England) began to settle in the Markyate area, including Quakers, Baptists, and Wesleyan Methodists.



Drawing by Buckler (c. 1830) of St John the Baptist with Markyate Cell in the background (Markyate Local History Society, 2002)

Non-conformist worship was strong and well established, three non-conformist chapels remain within the Markyate Conservation Area, two of which are still in use as places of worship.

The Wesleyan Methodist Chapel on Albert Street was built in 1859, it replaced an earlier nineteenth century chapel which was sited near the river Ver, and which continued to be used as a Sunday School until 1879. A new Sunday School building was constructed adjacent to the Methodist chapel in 1880 (it remains but is now in residential use). The Methodist church was extended to front and rear, with a new entrance from Wesley Road being built in 1967.



The Baptist Chapel, Buckwood Road – note the haystack in the background (Markyate Local History Society, 2002)

The Baptist chapel on Buckwood Road was built in circa 1873 replacing an eighteenth-century purpose-built meeting house, it has its own burial ground. The Baptist chapel was built by George Palmer of Liverpool Road, Luton for £640. The Sunday school hall was extended in 1897.



Particular Baptist Chapel, corner of Pickford and Cleveland Roads (Markyate Local History Society, 2002)

A Particular Baptist Chapel was constructed on the corner of Pickford and Cleveland Road in the mid nineteenth century, a modest single storey brick building with a slate roof (which later became a factory and is now a dwelling). It was built by Benjamin Goodyear who broke away from the Baptist Church following a rift.

There was also a Primitive Methodist Chapel in Buckwood Road (outside the Conservation Area), now demolished.

Twentieth Century

Markyate High Street underwent little physical change within the early part of the twentieth century. A few of the public houses went out of business and were converted to residential use. Other businesses changed and adapted; Prudens Bakery was established in the village in 1928.



The Methodist Chapel and adjacent Sunday School building, Albert Street (Markyate Local History Society, 2002)

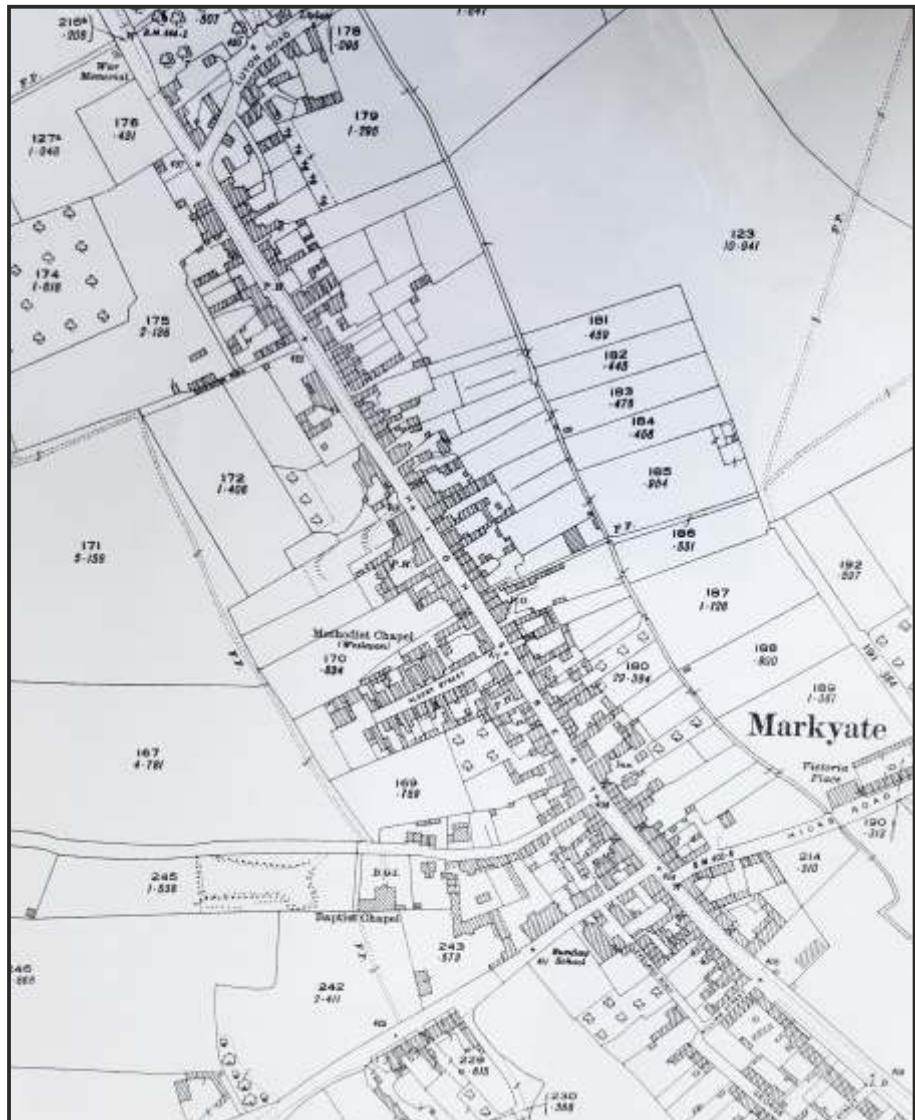
After the First World War, in 1921, a Portland Stone memorial comprising a cross on a pillar and plinth base was erected at the north end of the High Street to commemorate the fallen of the First World War. The west side of the monument includes the names of the fallen from the Second World War and conflicts in Greece (1948) and Northern Ireland (1974). The War Memorial currently lies just outside the Conservation Area boundary.



The unveiling of Markyate War Memorial, 1921. Its once rural setting has changed since its erection.

Wesley Road was created in 1924 and entailed demolition of a property fronting the High Street, residential development to the west side of the High Street continued throughout the twentieth century.

The early twentieth century invention of the motor car and petrol- and diesel-powered buses, vans and lorries was to have a massive impact upon Markyate and by 1950 the need for a bypass was no longer in doubt, there were frequent protests about the amount of traffic travelling through the village. The bypass was constructed to the east of the High Street to take traffic away from the centre; it made a huge difference at the time, but Markyate is once again busy with local traffic.



Map 4

Maryate in 1920 (HALS, Ordnance Survey map)

There are several examples of mid twentieth century development



Markyate Cell in the early twentieth century

on vacant or redeveloped plots along the High Street, particularly towards its northern end. In the latter part of the twentieth century the rear parts of historic burgage plots which previously extended down to the River Ver (now close to the route of the bypass) were developed for housing on Roman Way and Fullerton Close with new accesses created from the High Street. Other forms of backland development have occurred within yards and gardens to the rear of High Street properties.

Markyate Cell

Markyate Cell (now known as Cell Park) is a country house standing in parkland that reaches as far as the north end of Markyate village, its presence has prevented the development of Markyate in this direction. The house dates from

the sixteenth century but has been modified many times since that date and was largely rebuilt in 1908 after a fire.

Markyate Cell was built on the site of a former Benedictine Priory which had connections with Christina of Markyate (who lived about 1095 to 1155), a devout noblewoman, recluse and religious visionary who developed a following.

During the mid-seventeenth century Markyate Cell was connected with another famous female, the notorious highwaywoman Lady Katherine Ferrers who lived there. The 1945 film 'The Wicked Lady' starring Margaret Lockwood and James Mason was based upon her life and exploits. From 1916 to 1918 Sir Thomas Beecham, the eminent orchestral conductor, resided at Markyate Cell.

4 Surviving Historical Features within the Conservation Area

Summary of Historical Features

- The linear High Street following the line of the ancient Watling Street with properties either side fronting the pavement
- Former coaching inns and public houses
- Non-conformist places of worship
- Inn sign brackets / inn signs
- Street lanterns attached to the front of buildings
- Historic signage
- Good examples of traditional building materials, good quality eighteenth and nineteenth century brickwork, timber frame visible on side / rear elevations or within carriage arches, flint
- Former industrial buildings / brewery buildings
- Back yards and outbuildings associated with buildings fronting the High Street and some burgage plots
- Victorian shopfronts



Retained wrought iron bracket and The Sun Inn sign

gently towards its northern end. For the most part historic buildings form a continuous frontage, punctuated by streets entering the main road on both sides and narrower accesses to rear yards, either through carriage arches or gaps between buildings. The south end of the High Street is not completely straight, but curves gently – contributing to the character of the village.

On the east side of the High Street there are only two routes that exit from the High Street; Hicks Road leads out into the countryside via Harps Hill and at the north end the High Street follows the original route of Church End to join up with the A5183 by-pass. Church End can still be reached via a pedestrian underpass. The distinctive long narrow burgage plots to the rear of properties on the east side of the High Street with footbridges over the River Ver have been cut short by the by-pass and modern residential developments of Fullerton Close and Roman Way.

Markyate village developed further on its western side and to the south. Pickford Road is an old route leading west, past the Beechwood Park estate and on to Great Gaddesden. It was previously known as Cheverells Lane but renamed Pickford Road in 1860 in recognition of the Pickford family who farmed Markyate Street

Street pattern and building plots

The line of the High Street (ancient Watling Street) forms a central spine through the Conservation Area, which is linear and relatively narrow, rising



The curve of the High Street, looking north, at the southern end of the Conservation Area

Farm in the nineteenth century and went on to establish the well-known firm of carriers.

Buckwood Road leads northwest towards Whipsnade. By 1880 'New Street' had been constructed and by 1924 it was renamed Albert Street. Cavendish Road was shown on the 1880 Ordnance Survey map as a track leading west, known as Cock Lane – it was not until 1920 that it became known by its current name and development began to occur at its eastern end. Cleveland Road and William Street were laid out by 1880 and development started in a piecemeal

fashion in this area. Wesley Road was not created until post 1924 and entailed demolition of a property fronting the High Street.

Development is generally dense along the High Street with houses adjoining along much of its length. Towards the northern end there are larger historic houses occupying individual plots and newer development has occurred, either on previously empty or redeveloped / infill plots. Some of this newer development is detached and set back from the street with front gardens.

5 The Character and Appearance of the Conservation Area

Analysis

Markyate village lies within the Ver valley, and the Conservation Area follows the historic High Street with properties adjoining along both sides of the road – a former Roman road and later part of a busy coaching route. It does not easily divide into separate character areas although the tight knit historic development in the southern part of the Conservation Area becomes more fragmented towards the north end which comprises larger dwellings (both old and new) and mid to late twentieth development and redevelopment.

Markyate is described as a village although the tight grain of development seen between Hicks Road and Roman Way, with burgage plots running to the rear and properties fronting the narrow pavements gives Markyate the character of a busy town and High Street.

The southern end of the conservation area starts at the junction of William Street and High Street and includes a terrace of nineteenth century development on its west side. Part of a late twentieth century development is included within the boundary on the east side whose design and massing is at odds with the more traditional built form locally. North of this is a small building used as a shop and a café on the corner (occupying a former car showroom), it is possible the gable roofed building is a remnant of the farm that once occupied this site.

To the north of the junction with Pickford Road and Hicks Road the historic character of Markyate becomes firmly established with rendered timber frame properties and eighteenth and nineteenth century brick facades (often re-

fronting older timber frame properties) fronting the pavement. An exception to this is the group of three 1970's properties (111, 113 and 115), these are set back from the road with small front gardens, whilst at odds with the established pattern of development they are low key in design and scale.

Between the junctions of Pickford Road and Buckwood Road (west side) there is the more imposing 3-storey Sebright House (no. 76), formerly the Sebright Arms Inn until 1967. No. 74 comprises the former tack room to the Sebright Arms with accommodation over the carriageway to the yard behind. A shopfront on the ground floor has been infilled. Markyate Fire Station (built 1940) is set back from the High Street with a necessary area of hardstanding to the front and its side elevation addressing Buckwood Road, its brick tower could be considered a minor landmark in the village.

A short stretch of Buckwood Road, which leads to Whipsnade, is within the conservation area – it comprises nineteenth and late twentieth dwellings, its primary feature of interest is the Markyate Baptist Church set back from the road with historic brick wall to front and sides and an area of grassed lawn. The terrace of houses to the west are a late twentieth century infill.



High Street, east side with the 3-storey Sebright House in centre

North of Buckwood Road 2-storey historic properties form a strong frontage to the High Street on both sides, with carriage arches and narrow openings providing glimpses through to the rear of plots.

The north side of Albert Street is dominated by the pedimented gable of the Methodist Church whilst the south side incorporates a group of good quality nineteenth century development with a more consistent slate roof line and pitch which contrasts with the more varied roofscape of the High Street. Albert Street is truncated by the gates to the former Golden Lion brewery of which the early nineteenth century brewer's house remains occupying a good-sized plot at the end of the street.

North of Albert Street development continues, fronting both sides of the High Street. At the junction of Wesley Road and High Street are a K6 telephone box and red pillar box, traditional village features. Within the shopfront of Markyate Spice, no. 73 High Street, an early pattern of letter box can be seen to the left of the door.

The wide road junctions to Roman Way and Fullerton Close do weaken the character of the village towards its northern end due to the visibility of modern development but historic development continues to front the east side of the High Street. To the west side, the late twentieth century development at 32 High Street, to the north of Village Place does not reflect the historic character of the Markyate. The visual impact of the mid twentieth century dwelling to the south of The Grange is limited by its being set back behind the historic boundary wall. On the opposite side of the High Street eighteenth and nineteenth century properties prevail, including the nineteenth century terrace 'New Cottages', more gaps are visible between pairs / groups of properties.



Markyate Methodist Church, Albert Street

To the north of 20 High Street the historic character of the conservation area is disrupted by more modern developments on both sides of the road (created on vacant or redeveloped historic building plots), but this is partly re-established by the strong façade of The Grange and The Maltings opposite. There is a break in the High Street as it turns to the east to rejoin the A5183 (Markyate bypass) however the High Street does continue to the north, following its historic route with the former White Hart public house on the corner. The conservation area ends on the east side of the High Street to the north of



White Hart Inn at north end of the High Street

Cell Dene, a nineteenth century detached property – once associated with Markyate Cell.

Development to the north of The Grange comprising mid to late twentieth century detached dwellings is excluded from the conservation area, but this side of the High Street does include the War Memorial, fronting the road, it remains a feature of clear historic, social and architectural merit at the northern end of the High Street.

Throughout the conservation area there are views of the rear elevations and roofscapes of High Street properties from the roads leading east and west off the High Street, so these elevations can be sensitive to change, particularly at upper floor and roof level.

Summary of townscape features

Markyate has late medieval origins and its focus remains along the historic High Street (former Roman road and later a busy coaching route).

Key features are:

- Linear High Street, lined with mostly two storey properties fronting the pavement
- Good quality Georgian and Victorian architecture (often re-fronting older buildings)
- Gabled roofs running parallel to the High Street with chimneys punctuating the roofscape
- Gently sloping roads to east and west sides of the High Street

Current activities and uses

Today Markyate is a commuter village with a busy High Street. There are a few shops including a convenience store, bakers (Prudens, established 1928), hardware store, beauty parlour, hairdressers, chemist and restaurants / take-aways. The Baptist and Methodist Churches both lie within the conservation area and the parish church of St John the Baptist lies adjacent to it. There are two public houses within the

Conservation Area (The Swan and The Local). However, many buildings formerly in use as public houses, workshops, stores and shops have been converted to residential use. The remaining public houses and shops give vitality to the High Street and their retention should be encouraged.

Markyate retains a strong village identity; the wider village has a primary school, a Village Hall, a Cricket and Football Club and there are brownies, beavers, and scouts' groups. Other activities include fitness club, Local History Society, and a choir. The Hertfordshire Way passes through Markyate Conservation Area.

Whilst the bypass provides essential relief, the centre of Markyate is still busy with vehicles travelling along the High Street and using the local roads. Parking occurs on both sides of the main routes and blockages area common when delivery vehicles park.

Focal points, views, and vistas

Markyate Conservation Area is unusual in that it has no church or village green / nucleus so there is no clearly identifiable focal point. Taller buildings such as 76 High Street (Sebright House) and the rusticated stucco fronted 64 High Street stand out within the brick frontages which



View up Pickford Road

prevail along the High Street. The imposing portico to Cavendish House catches the eye.

There are attractive views along the High Street and views both up and down Pickford Hill. At the north end of the Conservation Area there are views from the High Street towards the grade II listed Cell Park Lodge and the park itself. Views down Roman Way and Fullerton Close have trees in the distance, on the other side of the valley, but the newer residential development does tend to dominate these views.



Trees and grass to the front of Markyate Baptist Church, Buckwood Road

From the public footpaths near Beechwood Park (to the west) and Caddington Hall (to the east), the village of Markyate can be seen within the valley. The historic roofscape and use of traditional roofing materials is legible.

Open spaces, landscape and trees

Markyate Conservation Area has little in the way of open spaces, landscape or trees within its boundary. The exceptions to this include trees and grass to the front of Markyate Baptist church on Buckwood Road and planting to the front of the Methodist church on Wesley Road. The willow tree at the south end of the Conservation Area is a welcome feature.

Public realm: Floorscape, street lighting and street furniture

There is a limited amount of public realm within Markyate Conservation Area due to the way properties front immediately on to the pavement and there are no significant areas of public / open space such as a village green. The grade II listed red telephone box (K6, designed by George Gilbert Scott) and red pillar box outside The Local (corner of High Street and Wesley Road) both contribute to the street scene and opportunities to enhance this area should be explored.



K6 telephone box and pillar box on the High Street



62 High Street, historic cobble surfacing within carriage arch containing timber frame and old red brick infill

Many streetlamps are attached to the front of buildings due to the lack of space for freestanding streetlamps along the High Street, those that do exist are of a traditional style. Several examples of the older metal blue and white enamelled street signs remain affixed to buildings.

The street and pavement are tarmac but there are some remnants of historic cobble surfacing visible within yards / yard entrances – these are valuable survivors and contribute to the character of the area.



Coronation Clock (1911) attached to the frontage of 48 High Street



Old blue and white enamelled street sign

6 The Buildings of the Conservation Area

Architectural styles and detailing

The Conservation Area contains a fascinating collection of buildings, with a variety of age and architectural style. There are larger scale properties on the west side of the High Street, particularly towards its northern end. Properties on the east side are generally more modest in scale and architectural detailing. Most are now in residential use despite many having been used as inns and public houses in the past. Additional dwellings have been created through the subdivision of existing buildings, such as The Grange and former Home Farm, Pickford Road. Several former shops and some outbuildings have been converted to dwellings.

Although Markyate is close to the Cell Park estate, and it is known the Coppin family did make some improvements within the village there is no obvious 'estate influence' to be seen.

The earliest known buildings along the High Street include no 101 (former Sun Inn, a sixteenth century open hall house with cross wing), 58 – 62 High Street (late sixteenth century) and 64 High Street, also late sixteenth century and containing wall paintings of this date internally. These have been re-fronted, adapting to the changing fashions and concealing the timber-frame origins of the property – the buildings along the High Street would have looked very different in the seventeenth century. However timber frame can still be seen within several carriage arches and to the rear elevations of some properties including number 101 (former Sun Inn). The gable end of 117 also features some timber frame which shows the building was formerly jettied to the front. The Old Maltings, 11 High Street, contains an early timber

cruck frame, possibly reused. The statutory list descriptions describe many other properties as dating to the seventeenth century, or earlier but all have been re-fronted providing the Georgian and Victorian character which prevails.



Timber frame visible in carriage arch to 59 High Street



Timber frame to gable end, 117 High Street

The Conservation Area is particularly characterised by a wide range of good quality



Village Place, red brick laid in Flemish bond with dark brick headers



Elliptical carriage arch to Cavendish House

eighteenth and nineteenth century brickwork. Many properties are built of, or refaced, with local brick, usually laid in Flemish bond and the use of dark headers to create a decorative chequered effect is common. Good examples include Village Place, numbers 65 and 72 High Street and 117 High Street which features chequer brick with a red brick diamond at first floor with letters either side. The red brickwork with coloured mortar to Cavendish House is particularly fine and includes a superb example of an elliptical gauged red brick arch over the carriageway.

Number 9, 11 and 13 Albert Street are grade II listed, they date to c. 1840 and are exceptionally well detailed examples of Victorian brick properties with lighter red brick dressings. Nos. 83 and 85 High Street have a cheerful mix of Luton Grey brick with red and cream brick

banding and decorative terracotta window heads. Number 47 is built of a Luton Grey brick and some examples of buff brick are also seen.

Flint is used in the side elevation of no. 52 High Street and the outbuilding to the rear. The only building of flint construction is the nineteenth century wing to The Grange. Part of the boundary wall to Markyate Baptist Church on Buckwood Road is of flint construction but the rest is brick.



Quill House, red brick with decorative brick banding



Flintwork to side wall of 52 High Street and outbuilding to rear

Several properties along the High Street are rendered and painted cream or white but it is the distinctive banded stucco façade of 64 High Street which really stands out within the street scene.

Weatherboard is used upon some single storey outbuildings to the rear of High Street properties but is otherwise not a feature seen along the High Street.

Tile hanging is visible on the rear gable of 76 High Street, seen from Pickford Road.



64 High Street with its eye-catching stucco facade

Roofs are generally gabled with the roofs running parallel with the High Street – there is a pleasing variation in roof pitches and eaves / ridge heights to the older buildings along the High Street whereas the nineteenth century terrace north of the William Street junction with the High Street and the terrace on Albert Street has a typically consistent roofline. Older roofs tend to be clad with plain clay tile but examples of slate to old roofs are seen and to nineteenth century properties (such as 75 and 77 High Street with its hipped roof). Chimney stacks and pots are an important feature within the street scene.



Markyate High Street roof scape, east side looking south

There are many examples of traditional windows including timber sashes, casement, and Yorkshire (sliding) casements. 62 High Street has Yorkshire sliding casements at first floor and timber sashes to the ground floor. The Grange has an impressive nineteen 6-over-6 timber sashes to the front elevation.



62 High Street, horizontal 'Yorkshire' sliding casement



Sash windows to The Grange

Due to the narrow nature of the High Street and pavements either side doorcases tend to be very modest in scale / design or confined to hood moulds. The exception to this is the portico to Cavendish House, designed to impress and located at the northern end of the High Street which is slightly wider than the southern end and contains larger detached historic properties.



Door case to 117 High Street

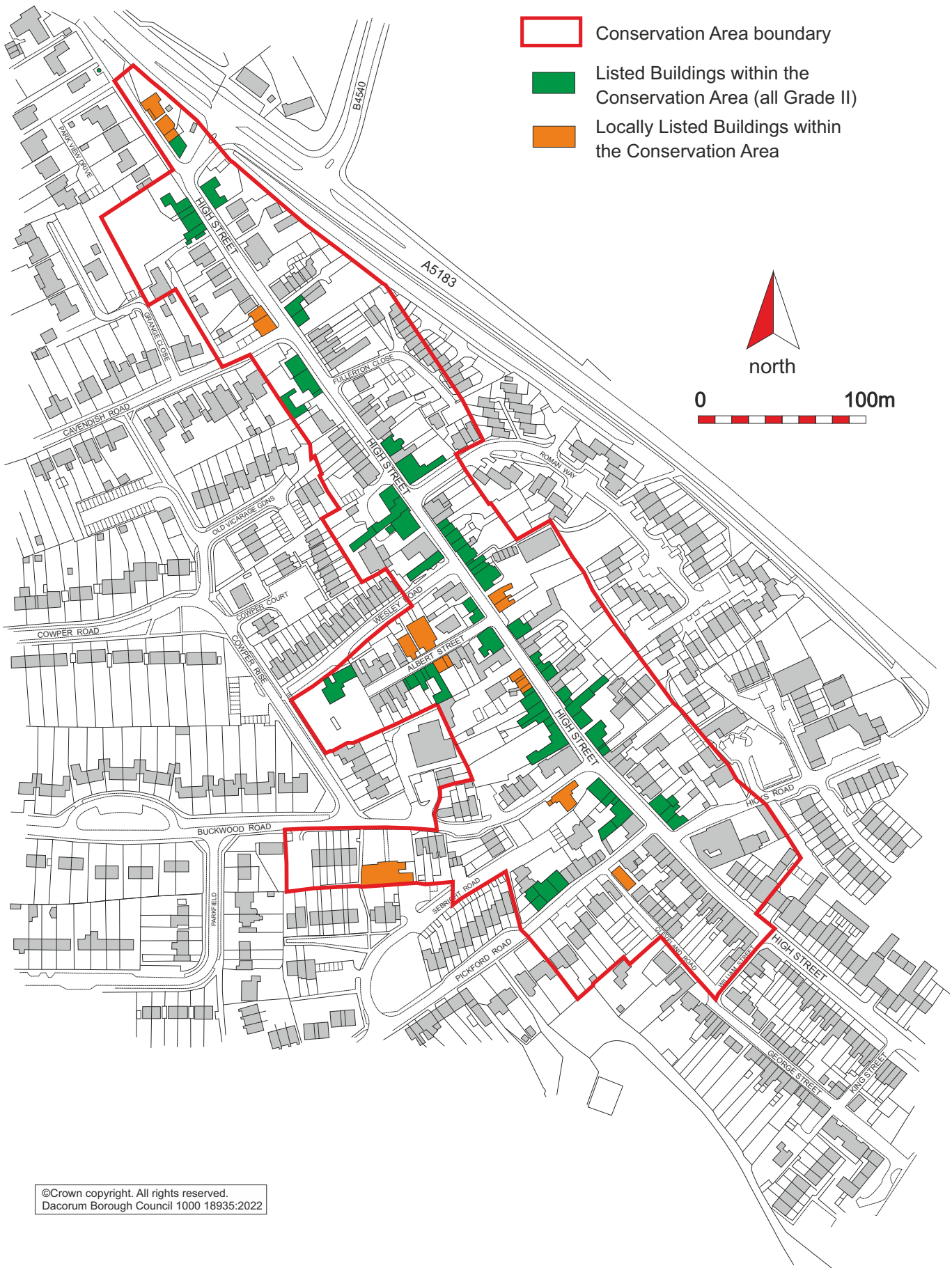


Door case to Sebright House with pediment and fanlight



Portico to Cavendish House

Map 5 Listed Buildings : Markyate



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7 Negative Features and Issues

Traffic and parking

Parking is limited along the High Street and, despite the bypass, the busy route is often filled with local traffic and some overly large delivery vehicles which struggle with negotiating the narrow High Street and its side roads. This was raised as a significant issue during the public consultation process.



111, 113 and 115 High Street, Markyate

Negative Buildings Within the Conservation Area

There are few buildings of really negative impact within the Conservation Area although some of the mid twentieth century infill and latter twentieth century redevelopment along the High Street does not reflect the established pattern of development that exists. Examples include numbers 15, 17 and 19 (E J Smith DIY). The late twentieth century terrace at 32 High Street is modest in scale but poorly detailed with uncharacteristic front gardens and the classical Georgian style door cases (5 in all) are overly elaborate. Nos. 111, 113 and 115 comprise a short terrace of circa 1970's infill, set back from the High Street with large enclosed front porches, they contrast with the pattern of development within the southern part of the High Street where historic properties front the pavement.



Mid to late twentieth century development within Markyate, 15, 17 and 19 High Street

Shopfronts and advertising

Some signage is not of sufficient design quality and box fascia signs have been applied to the front of buildings despite them not having a shopfront (Markyate Fish Bar and Markyate Grill). The shopfront windows to Markyate Stores are filled with large scale advertising posters which detract from the street scene.



Fascia signs to Markyate Grill and the property before signage was added



Large posters in the window of Markyate Stores



Signage to Markyate Fish Bar

Inappropriate Alterations and Extensions

Traditional materials and details are being eroded the use of inappropriate materials (plastic windows, doors, fascias and rainwater goods, concrete roof tiles and poor-quality repointing) but examples are limited. There are satellite dishes facing the street, both on listed and unlisted buildings – an example of this are the dishes attached to the front of various properties along the north side of Pickford Road. Substantial front dormers have unfortunately been added to the roof slope of 41 and 43 High Street, otherwise dormers are confined to rear roof slopes.

Due to the narrow nature of the High Street, street lamps are fixed to the fronts of buildings and there are numerous cable runs along building frontages, giving some an untidy appearance.






Satellite dishes to front elevations of properties along Pickford Road

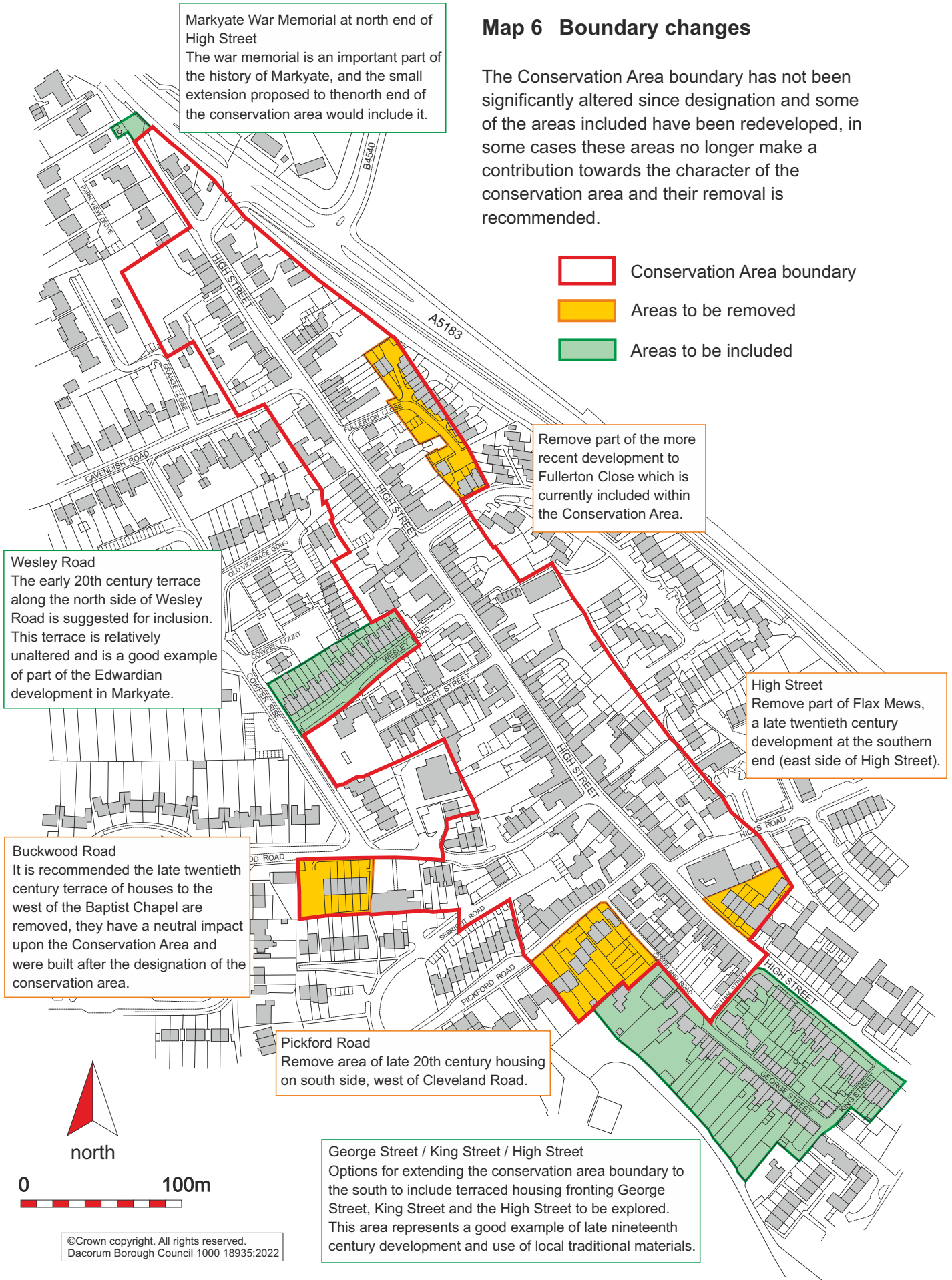


Replacement window on right side at first floor level is at odds with the original sash windows to the front elevation of 73 and 75 High Street

Map 6 Boundary changes

The Conservation Area boundary has not been significantly altered since designation and some of the areas included have been redeveloped, in some cases these areas no longer make a contribution towards the character of the conservation area and their removal is recommended.

-  Conservation Area boundary
-  Areas to be removed
-  Areas to be included



Markyate War Memorial at north end of High Street
The war memorial is an important part of the history of Markyate, and the small extension proposed to the north end of the conservation area would include it.

Wesley Road
The early 20th century terrace along the north side of Wesley Road is suggested for inclusion. This terrace is relatively unaltered and is a good example of part of the Edwardian development in Markyate.

Buckwood Road
It is recommended the late twentieth century terrace of houses to the west of the Baptist Chapel are removed, they have a neutral impact upon the Conservation Area and were built after the designation of the conservation area.

Pickford Road
Remove area of late 20th century housing on south side, west of Cleveland Road.

Remove part of the more recent development to Fullerton Close which is currently included within the Conservation Area.

High Street
Remove part of Flax Mews, a late twentieth century development at the southern end (east side of High Street).

George Street / King Street / High Street
Options for extending the conservation area boundary to the south to include terraced housing fronting George Street, King Street and the High Street to be explored. This area represents a good example of late nineteenth century development and use of local traditional materials.

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Further reading

Markyate Local History Society 2002 *The Book of Markyate*. Halsgrove

Cutler, R. 1990 *Markyate in Camera*. Quotes Ltd.

Appendix 1:

Statutory listed buildings within Markyate Conservation Area

HIGH STREET (east side)

The White Hart, 5 High Street
The Old Maltings, 11 High Street
Shaw's Cottage, 25 and 27 High Street
Old Forge Cottage, 45 High Street
49 High Street
59, 61, 63 and 65 High Street
67, 69, 71 and 73 High Street
81 High Street
87, 87a and 89 High Street
93 High Street
97 and 99 High Street
The Sun Inn (former), 101 High Street
117, 119 The Old Red Lion House, and 121

PICKFORD ROAD

8, 8A, 8C, 8B, 10 AND 10A, Pickford Road

HIGH STREET (west side)

4, 8 (The Grange), and 8a (Cleagrove)
Cavendish House
Stable and coach house in rear yard of no. 30
34 (Village Place) and adjoining entrance screen
to north
The Swan Inn
40 High Street
K6 Telephone Kiosk
44, 44a and 46 High Street
48, 48a, 48b and 48c High Street
58, 60 and 62 High Street
64 High Street
72 High Street
74 High Street
Sebright House and Sebright Cottage at rear

ALBERT STREET

9 and 11 Albert Street
13 Albert Street
The Old Brewer's Yard, 8 Albert Street

Appendix 2:

Historic Environment Record: Herts County Council

HHER Number	Description
2050	Village of Markyate
12090	The Sun Inn, 101 High Street
12103	The White Hart, 5 High Street
12102	The Swan, 36 High Street
12100	117 – 121 High Street
7024	Lion Brewery, Albert Street
17368	Site of post medieval cottages, High Street
30956	67 – 73 High Street
9525	Roman road, Watling Street
12099	Sebright House (The Sebright Arms), 76 High Street
12098	The Old Maltings, 11 High Street
12092	Site of The Five Horseshoes, 1 High Street
30496	Site of the 'Iron Room', Pickford Road
12097	Red Lion public house, 20 High Street
16649	Home Farm, 8 – 10 Pickford Rd, Markyate
17549	38 High Street
12091	4 High Street and The Grange (The Cross Keys), 8 High Street
12093	42 High Street
10087	Post medieval pits behind 75 High Street
12087	Markyate Baptist Chapel, Buckwood Road
12101	64 High Street
30918	58 – 62 High Street
12089	Particular Baptist Chapel, Pickford / Cleveland Road junction
12086	Wesleyan Methodist Chapel, Albert Street
12096	65 High Street (The Plough)
12094	50 High Street (The Green Man)
12105	Site of the Healey Mineral Water Business, 84 High Street
12104	Site of the White Horse, 22 High Street
16647	Site of Lower Farm, London Road
16648	Site of Hospital Farm, London Road

Appendix 3 :

Locally Listed Buildings.

These buildings are recognised for their local architectural or historic significance and contribution they make to the quality of the local environment. Encouraging the use of local lists will strengthen the role of local heritage assets as

a material consideration in the planning process although permitted development rights remain.



*Markyate Methodist Church, Wesley Road
(this view from Albert Street).*



*Former Sunday School building for the adjacent
Markyate Methodist Church, Albert Street.*



Baptist Church, Buckwood Road



*Former Primitive Methodist chapel, corner of Cleveland
Road and Pickford Road*



Cell Dene, 1 High Street



3 and 5 High Street



24 High Street



26 High Street



52, 54 and 56 High Street



Markyate Fire Station



75 (Prudens Bakery) and 77 High Street



5 Albert Street



Dacorum BC Community Impact Assessment (CIA) Template

Policy / service / decision

Markyate Conservation Area Character Appraisal

Description of what is being impact assessed

What are the aims of the service, proposal, project? What outcomes do you want to achieve? What are the reasons for the proposal or change? Do you need to reference/consider any related projects?

Stakeholders; Who will be affected? Which protected characteristics is it most relevant to? Consider the public, service users, partners, staff, Members, etc

It is advisable to involve at least one colleague in the preparation of the assessment, dependent on likely level of impact

Providing a full assessment for all the Conservation Areas (25 in all) within Dacorum forms part of the Council's Conservation Strategy.

As part of this a Conservation Area Character Appraisal has been produced for Markyate. The appraisal highlights the special qualities and features that underpin Markyate's character and justify its designation. This type of assessment conforms to Historic England guidance and to Government advice in the NPPF. It also supports and amplifies those policies aimed at protecting the overall character of conservation areas and forming part of Dacorum Borough Council's Local Planning Framework. The adopted Appraisal will provide additional guidance to the Local Plan, and thus become an important material consideration in all relevant planning applications. The weight attached to the Character Appraisal is greater because of the consultation carried out and the comments received.

Conservation Area Appraisals help local authorities, applicants and local residents understand the significance of an area and how its character and appearance can be preserved or enhanced. The appraisal is intended to save officer time in the future in processing planning applications within the Markyate Conservation Area, as well as in defending appeals against refused planning applications.

Evidence

What data/information have you used to assess how this policy/service/decision might impact on protected groups?

(include relevant national/local data, research, monitoring information, service user feedback, complaints, audits, consultations, CIAs from other projects or other local authorities, etc.). You should include such information in a proportionate manner to reflect the level of impact of the policy/service/decision.

A public consultation process formed part of the Markyate Conservation Area Character Appraisal process. Stakeholder engagement was carried out online, via a public consultation platform (Commonplace) and in person at Markyate Baptist Church.

Who have you consulted with to assess possible impact on protected groups? *If you have not consulted other people, please explain why? You should include such information in a proportionate manner to reflect the level of impact of the policy/service/decision.*

The Council engaged with a wide range of stakeholders via a 4-week public consultation exercise:

Members of the Public / local residents
 Markyate Parish Council
 Historic England

Analysis of impact on protected groups (and others)

The Public Sector Equality Duty requires Dacorum BC to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service/decision will achieve these aims. Using the table below, detail what considerations and potential impacts against each of these using the evidence that you have collated and your own understanding. Based on this information, make an assessment of the likely outcome, **before** you have implemented any mitigation.

- The PCs of Marriage and Civil Partnership and Pregnancy and Maternity should be added if their inclusion is relevant for impact assessment.
- Use “insert below” menu layout option to insert extra rows where relevant (e.g. extra rows for different impairments within Disability).

Summary of impact		Negative impact / outcome	Neutral impact / outcome	Positive impact / outcome
Protected group	<i>What do you know? What do people tell you? Summary of data and feedback about service users and the wider community/ public. Who uses / will use the service? Who doesn't / can't and why? Feedback/complaints?</i>			
Age	The Markyate Conservation Area Character Appraisal is neutral with regards to age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability (physical, intellectual, mental) <i>Refer to CIA Guidance Notes and Mental Illness & Learning Disability Guide</i>	The Markyate Conservation Area Character Appraisal is neutral with regards to age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	The Markyate Conservation Area Character Appraisal is neutral with regards to gender-reassignment or other gender identity.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>


Race and ethnicity	The Markyate Conservation Area Character Appraisal is neutral with regards to race and ethnicity.	□	⊗	□
Religion or belief	The Markyate Conservation Area Character Appraisal is neutral with regards to religion or belief.	□	⊗	□
Sex	The Markyate Conservation Area Character Appraisal is neutral with regards to sex.	□	⊗	□
Sexual orientation	The Markyate Conservation Area Character Appraisal is neutral with regards to sexual orientation.	□	⊗	□
Not protected characteristics but consider other factors, e.g. carers, care leavers, veterans, homeless, low income, loneliness, rurality etc.	The Markyate Conservation Area Character Appraisal is neutral in relation to these factors	□	⊗	□

Negative impacts / outcomes action plan			
Where you have ascertained that there will potentially be negative impacts / outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.			
Action taken/to be taken <i>(copy & paste the negative impact / outcome then detail action)</i>	Date	Person responsible	Action complete
n/a	Select date		<input type="checkbox"/>
If negative impacts / outcomes remain, please provide an explanation below.			
n/a			
Completed by (all involved in CIA)	Helen Cal-Fernandez, Conservation and Urban Design Officer Philip Stanley, Head of Development Management		
Date	2 May 2024		
Signed off by	Sara Whelan		
Date	3 May 2024		

Entered onto CIA database - date	
To be reviewed by (officer name)	
Review date	



Report for:	Cabinet
Title of report:	Health & Safety Update Report
Date:	21 May 2024
Report on behalf of:	Councillor Robin Bromham, Portfolio Holder for Neighbourhood Operations
Part:	I
If Part II, reason:	N/A
Appendices:	Appendix 1: Corporate Health & Safety Policy
Background papers:	Corporate Health & Safety Policy 2024 – 2025 TIAA Assurance Review of Health and Safety 2023/24 Report (External)
Glossary of acronyms and any other abbreviations used in this report:	CDM - Construction, Design and Management CLT – Corporate Leadership Team CHSR – Corporate Health & Safety & Resilience H&S – Health & Safety HSG – Health & Safety Guidance ICT - Information and communications technology PDR– Personal Development Record RA – Risk Assessment SLT – Strategic Leadership Team

<p>Report Author / Responsible Officer</p> <p>Martin Kirk</p> <p>Head of Health & Safety & Resilience</p> <p> </p> <p>Email: martin.kirk@dacorum.gov.uk Telephone: 01442 228045 (ext. 2045)</p>

Corporate Priorities	A clean, safe, and enjoyable environment Ensuring efficient, effective, and modern service delivery Climate and ecological emergency
Wards affected	All
Purpose of the report:	To introduce the Council’s new Corporate Health and Safety Policy for consideration by Cabinet.

	The Policy sets out the Council's general approach to health and safety and explains how the Council will manage health and safety in the delivery of its services and operations. It provides clarity in the management arrangements along with roles and responsibilities.
Recommendation (s) to the decision maker (s):	<ol style="list-style-type: none"> 1. That Cabinet considers, and formally approves, the Corporate Health & Safety policy. 2. That Cabinet notes progress made on the Council's H&S action plan
Period for post policy/project review:	Annually.

1. Introduction

Health & Safety Management is a Corporate Priority and appropriate and adequate Health and Safety arrangements for service delivery are a critical requirement, which supports the Council's strategic priority to ensure a clean, safe, and enjoyable environment.

2. Background:

This report provides an update on the current position with regards to the management of health and safety at Dacorum Borough Council. It summarises two work streams. The first is the Health and Safety Review, that was undertaken by an external Health & Safety professional, which provided a review of the Safety Management System against the Health & Safety Executive's [Managing for Safety \(HSG 65\)](#) & [Leading Health and Safety at Work \(INDG 417\)](#) approach.

The second work stream is an external audit that was commissioned by the internal audit team and undertaken by TIAA in August 2023. The audit provided a level of risk assurance in relation to health and safety, in line with best practice guidance.

The findings of the Health and Safety Review & TIAA Audit have both informed the H&S Policy and, where areas for improvement were identified, these have been incorporated into the Health and Safety Policy and supporting Action Plan.

3. Health and Safety review

During 2023, an independent review of health and safety practices took place, which recommended the implementation of changes to improve the Council's health and safety culture, management system and its assurance processes. The review was structured through seven identified objectives, which were as follows:

1. Identify and prioritise the Council's Health and Safety Risk Profile and audit the management and control of identified priority risks.
2. Review and comment on key documentation and processes.
3. Review and comment on health and safety (H&S) governance and accountability.
4. Propose changes to create a more preventative and transparent system.
5. Recommend a H&S training strategy.
6. Survey the Corporate Leadership Team's satisfaction with current H&S management and support arrangements to make recommendations for improvement.
7. Visit key Council workplaces associated with identified priority risks and sample H&S controls.

The review identified some areas for improvements, and these have now been incorporated into a Health and Safety Action Plan and areas have been prioritised under the following themes:

- Communication
- Governance
- Policy and Strategy
- Risk management.
- Training

Progress has been made in all areas of the action plan, including the review of documents and policies, and the introduction of a new Corporate H&S policy. The revised Corporate H&S Policy is attached in Appendix 1. Other progress includes a full review of risk and a reporting framework that will allow SLT and the Corporate Health and Safety Board to regularly monitor Corporate H&S.

A new Head of Health & Safety and Resilience has now been appointed, and new terms of reference and membership for the Health and Safety Board have been developed.

Other priority areas that were identified are Construction, Design and Management (CDM), contract management and high-risk activities. These areas are now being progressed with training needs identified in line with industry best practice.

Relevant Council teams are now providing data and qualitative reports on risk areas, which have been identified in the H&S risk profile as a high risk to the Council.

New documented health and safety management arrangements, and associated tools and checklists, were issued and these will support managers to meet their H&S responsibilities. A digital H&S Platform has also been approved and will help to modernise and embed the work on the document review and facilitate access to documentation.

Delivery of training has already started and is having a positive impact on the delivery of safer and more effective services.

4. **Summary findings of the Internal Audit Review of Health and Safety 2023/24 Report**

Previous audit reviews identified several initiatives regarding Health and Safety requirements as a work in progress. An internal audit in 2023 aimed to review the findings of the previous audits follow-up and examine and test the arrangements for Health and Safety that should be in place for 2023/24 onwards.

The audit found that the documented process aligns with the mitigating arrangements set out in the corporate risk register. After a discussion with auditors, officers provided evidence of documents and governance in place that supported a “**Reasonable Assurance**” rating.

A summary of the issues and remedial actions in place is summarised below:

- Availability of records for building safety compliance is currently being progressed to ensure all necessary information is received in a timely fashion. Completion of actions arising from compliance activities is now being documented and monitored. These actions will be tracked as part of the Corporate Health & Safety Action Plan.
- Local safety checks at premises are now being fully documented and actions closed off. This has been included as part of the Manager self-audits now in place and the review of the local inspection check sheet
- Risk assessments templates have been reviewed and CLT has been consulted on their content. Risk assessments are now being progressed as part of the outputs of the Managers' self-audit process.
- Issues with the quality of accident forms has now been addressed. The Corporate Health & Safety & Resilience team, (CHSR), will monitor, and review all submitted forms. Moving forward this will be addressed through the digital platform in Autumn 2024.

5. **Health & Safety Policy**

It is industry best practice to review the health and policy annually. Equally, there is a statutory requirement to consult employees on health and safety matters. It was not clear if the previous policy had been consulted upon so this is an opportunity to formally record the consultation that has taken place.

In respect to the policy review, the following amendments were made:

- Introductory statement now links to the Council's values
- Responsibilities have been set out in accordance with the “Plan-Do-Check-Act” Health and Safety management framework we follow.
- Responsibilities in relation to building and grounds management has been revised to give greater clarity – and a table has been added to the appendix showing who is responsible.
- Specific responsibilities for the Assistant Director (People), Strategic Director (Housing and Property Services) and CHSR have been added.

- Requirement for an Annual Report

In addition to the policy review and, to ensure an effective Health & Safety Strategy is maintained, a Health & Safety Action Plan is being developed to both identify and monitor progress of all identified areas of improvement. These actions will be risk rated to ensure they are prioritised accordingly. Opportunities for delivering best practice will also be adopted where possible.

6. Options and alternatives considered.

No options, other than to consider approval of the report have been considered. If there was no Corporate Health & Safety Policy then Council will not be compliant with its statutory duties, as it employs more than five employees.

7. Consultation

The revised Health and Safety Policy was prepared in consultation with the Council's Corporate Leadership Team, Unison and the Health and Safety Board, SLT and Portfolio Holders. The outcome of the audit report was also discussed at Audit committee.

8. Financial and value for money implications:

Complying with the Health and Safety at Work etc. Act 1974 and relevant regulations supports the Council Health & Safety Strategy and ensures statutory compliance. Adequate resources are to be provided to support this. This will reduce accidents and risk profiles and will make the Council's work place a safer and healthier environment for all.

9. Legal Implications

Failure to have an effective Health and Safety Policy in place with a robust health and safety management system could result in a failure to ensure statutory compliance that could result in a potential prosecution. A robust health and safety management ensures legal compliance.

10. Risk implications:

Failure to have an effective Health and Safety Policy in place with a robust health and safety management system could result a failure to ensure statutory compliance or a failure in a safe system of work that results in an injury or fatality to staff or residents. This review and the measures considered and implemented mitigate these risks to an acceptable level that can be continuously monitored and evaluated as part of the Council's monitoring systems.

11. Equalities, Community Impact and Human Rights:

There are no negative impacts to any specific protected characteristics or part of the community.

There are no Human Rights Implications arising from this report. It is a generic policy so applies to all groups equally.

12. Sustainability implications (including climate change, health and wellbeing, community safety)

There will be no negative impact to Sustainability. This review will support community safety by ensuring safe systems of work are developed and delivered by all parts of the organisation.

13. Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

Regular reviews of the Health & Safety Policy will ensure it remains effective to ensure both statutory compliance and reduce the risk of an injury

14. Statutory Comments

Monitoring Officer:

A robust Health and Safety Policy and governance structure is essential to ensure that the Council operates its services safely, in accordance with the law. The proposed Policy should help to ensure that the Council complies with relevant legislation and guidance, minimise risk to staff and reduce the chances of legal claims against the Council.

S151:

No further comments to add to the report.

15. Conclusions:

Both reviews have identified some good practice and improvements that are needed in relation to the Council's Health & Safety Management systems and processes. This has resulted in the review of the Health and Safety Policy, a comprehensive action plan and a risk matrix that will be monitored through SLT, Health and Safety Board and individual Directorates.

The Corporate Health and Safety Policy has also been updated to reflect the changes required.

Since the reviews took place, and during the Autumn period, a significant amount of work has been undertaken to ensure the required systems are in place and that they are well documented. Improvements will continue to be implemented through the development and delivery of the Health and Safety Action Plan, which covers all areas of health and safety management.

Key risks and key areas of improvements will be monitored through dashboards and developed with CLT and reported through to SLT on a regular basis.

It is imperative to maintain this momentum to ensure the management system remains effective to ensure a safe and healthy environment is provided by Dacorum Borough Council in all its operations.



Corporate Health & Safety Policy 2024 – 2025

Author	Corporate Health, Safety and Resilience		
Approved by			
Date of publication		Date of last version	October 2024
Version no.	4	Review date	October 2025
Associated documents:			
<ol style="list-style-type: none"> 1. Health and Safety Strategy and supporting documents 2. Health and Safety Management Arrangements 			

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1. Our Health & Safety Policy Statement

At Dacorum Borough Council (DBC) our customers are at the heart of what we do and so we are committed to protecting them and our employees from harm arising from our work activities. By providing a safe and healthy work environment, we are supporting our employees to achieve excellence and deliver safe services for our customers and others who may be affected by our work activities.

In accordance with our legal responsibilities under the Health and Safety at Work Act, we will ensure that our employees are provided with the resources, training, supervision, instruction and information needed to do their job safely and to protect themselves and others from harm.

We want health and safety to be part of how we do things at DBC, as it is fundamentally linked to our values and behaviours:

- **Honesty and Integrity:** We encourage open and honest conversations about risks and concerns, without blame, so that we can work together to continually improve health and safety.
- **Accountability:** We take personal ownership for health and safety and accept our responsibilities as set out in this Policy and law. We are all accountable for finding out how to do things safely, reporting, or taking action on, health and safety concerns and for applying sound and sensible health and safety risk management to our work.
- **Equality, Diversity and Inclusion:** We are open to different views from our diverse work and living community, take account of individual needs in our risk management and ensure our safety communications take account of the need of our target audiences.
- **Support:** We will collaborate and share learning for the improvement of health and safety across the Council. We also encourage consultation and positive conversations with our Trade Union representatives, as we recognise the importance of listening to the employee perspective.
- **Ambitious:** We recognise that compliance with legal standards is a minimum requirement and strive for excellence, by creating a culture that is both supportive and proactive in its approach to health and safety.
- **Customer Focus:** We keep the protection of our customers and employees from harm at the heart of what we do.

Our elected members, the Chief Executive and Strategic Leadership Team (SLT) accept their legal and moral responsibility for health and safety at work, and their responsibility to provide strong leadership on health and safety. They expect Assistant Directors, Heads of Service and other managers to take ownership for controlling health and safety risk in their area of responsibility. They also expect all employees to work together to help us achieve high standards of health and safety and to apply our values to how we approach health and safety at work.

Claire Hamilton

Chief Executive

Date: 17 May 2024

Cllr Adrian England

Council Leader

Date: 17 May 2024

2. Purpose

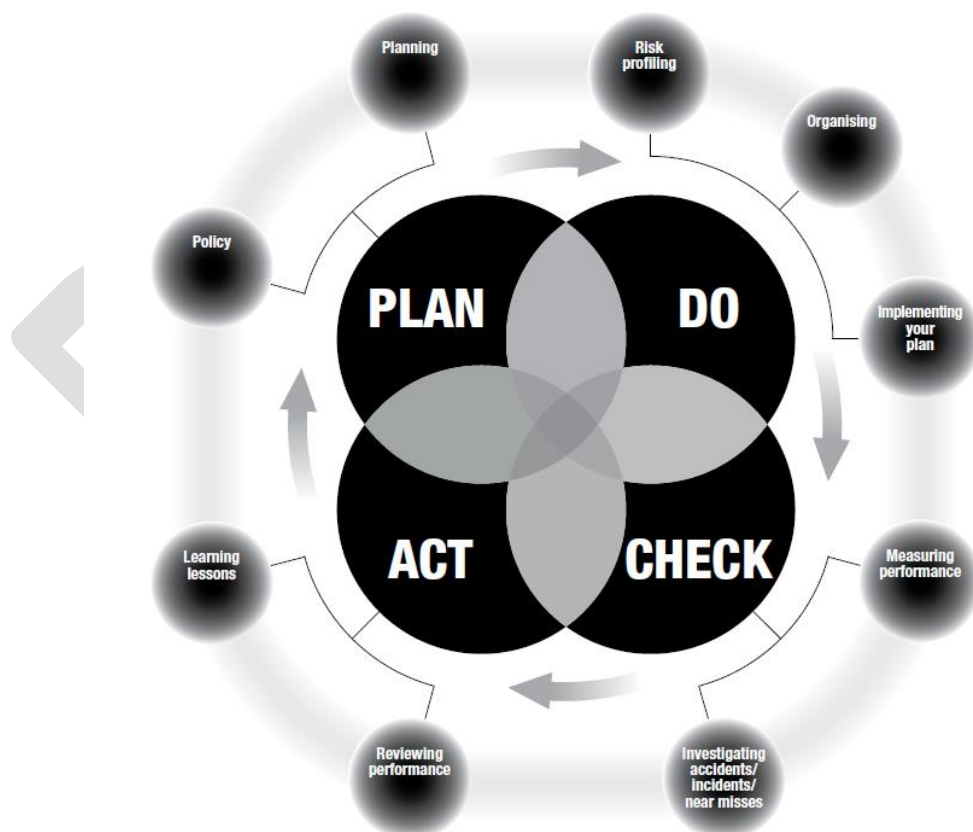
This Policy sets out our commitment to, and responsibilities for, health and safety. Through meeting our Policy responsibilities, we will provide safe and healthy working environments, protect our employees, visitors and the public from harm and meet our legal responsibilities under the Health and safety at Work Act and Management of Health and Safety at Work Regulations.

Our aims and plans for implementing our Policy are described in our [Health and Safety Strategy](#). The Policy is also supported by a range of corporate and local policies and procedures that describe what we need to do to ensure that, as a minimum, we meet our legal requirement to ensure, so far as reasonably practicable, the health and safety of our employees and others affected by our work activities.

3. Scope

The responsibilities set out in this Policy apply to all employees including directly employed, agency workers, consultants, contractors and volunteers. It applies to all our work activities, premises and grounds under our control. We also apply this Policy in our approach to procurement, contractor and partnership arrangements, seeking assurance that services managed by a third party on our behalf are delivered safely.

4. Principles



This Policy and its supporting Management Arrangements provides a structure through which the council can protect employees and others affected by its work activities from harm. Managing health and safety is an integral part of good management. It should be part of our everyday process and integral to our values, behaviours and attitudes. DBC follows a *Plan – Do – Check – Act* management system framework, as recommended by the Health and Safety Executive (HSE).

See www.hse.gov.uk/managing/plan-do-check-act.htm.

This is underpinned by:

- Strong, effective leadership and management
- A trained/skilled workforce, and
- An environment where people are trusted, involved and feel safe to raise health and safety concerns.

5. General Responsibilities

It is important that all employees understand their responsibilities and what they have to do to meet them. This Policy sets out general overarching responsibilities. Additional, specific responsibilities may be set out in corporate and local health and safety policies, procedures and job descriptions.

5.1. Employees¹

All employees are responsible for:

Plan	<ul style="list-style-type: none"> • Following DBCs and their Service or Team policies and procedures for safe working, including procedures for fire, first aid and other emergencies. • If responsible for planning activities, events or projects, making sure that risks are assessed and suitable measures are put into place to prevent harm.
Do	<ul style="list-style-type: none"> • Looking after their own health and safety and the safety of others affected by their work. • Taking part in health and safety training and development as required by DBC or their manager. • Using work equipment, vehicles and substances in accordance with safety instructions and training. • Wearing personal protective equipment (PPE) provided for their safety, looking after it and reporting any damage to PPE promptly. • Not consuming any alcohol, recreational drugs or any other substances that may impede their mental and physical state of mind whilst carrying out work activities. • Not interfering with anything provided for their health and safety or carrying out activities for which they are not competent or have the correct equipment for.
Check	<ul style="list-style-type: none"> • Asking if they are unsure what you need to do to stay safe or protect others from harm. • Attending health surveillance when required by DBC or their manager.
Act	<p>Proactively:</p> <ul style="list-style-type: none"> • Raising health and safety concerns, equipment defects and training needs with their manager • Reporting health safety hazards, accidents, work related ill health, incidents, acts of violence and aggression and near misses • Contributing to identifying improvements in health and safety.

If you have any doubts about your health and safety responsibilities in your workplace, you must speak to your supervisor or line manager. You may also seek guidance from your Trade Union Safety Representative.

¹ Throughout this Policy Employees includes agency workers, contractors and volunteers under DBC's direct control

5.2. Managers and supervisors

In addition to their employee responsibilities, all line managers and supervisors are responsible for the implementation of the Health and Safety Policy in their area of control. As a general rule, the direct responsibility of managers for health and safety is determined by the extent to which they have authority to take action. That is, if they have the authority to make a general decision about some aspects of the work, they are responsible for the health and safety implications of that decision. Their responsibilities include:

Plan	<ul style="list-style-type: none"> • Positively promoting high standards of health and safety • Ensuring that they understand the risks arising from work activities under their control and what they need to do to ensure risks are adequately controlled • Taking action to ensure that health and safety policies and relevant health and safety procedures are implemented in their area of control.
Do	<ul style="list-style-type: none"> • Effectively communicating relevant health and safety information and instruction to their employees and others affected by their work activities. • Inducting new employees (or those changing role), contractors, volunteers and visitors on local health and safety arrangements. • Ensuring employees undertake relevant health and safety training and are competent to, and capable of, carrying out their duties safely • Consulting with employees and their Trade Union Representatives on matters that affect their health and safety. Co-operate with trade union safety representatives whilst they are carrying out their functions. • Ensuring that risks associated with their work activities, projects and events are identified, risk assessed, and suitable control measures put into place. • Developing and communicating safe working procedures, where necessary to support control of risk. • Ensuring that all contracts are adequate in terms of health and safety provision and that contractor health and safety performance is monitored. • Sharing information and coordinating health and safety arrangements with other employers, contractors or occupiers of shared premises. • Developing (where necessary), supporting, and ensuring compliance with, emergency, fire and security plans • When delegating work, taking account of the effect of work on employee health and the health of employees on their work. • Seeking Occupational Health support where necessary to promote health at work, support effective return to work, and carry out health surveillance where required. • Notify CHSR and your Head of Service /Assistant Director of any planned inspections or investigation by enforcement bodies (HSE, Fire Service).
Check	<ul style="list-style-type: none"> • Providing adequate supervision and monitoring of work activities • Ensuring that all accidents incidents, near misses and acts of violence and aggression are reported, investigated, corrective action is taken. • Ensuring that work environments under their control are maintained in a safe condition. • Ensuring that the necessary work equipment, including personal protective equipment, is provided and maintained in a safe condition • Ensuring that workplace related hazards are reported to the relevant building manage. • Cooperating with investigations, monitoring and auditing carried out by CHSR or relevant, internal and external auditors and agencies.
Act	<ul style="list-style-type: none"> • Reviewing risk assessments and safe working procedures on a regular basis. • Keeping your Assistant Director / Head of Service informed of the effectiveness of risk controls and alerting them to significant health and safety risks. • Delivering on targets on health and safety performance, as agreed with their Assistant Director / Head of Service; and supporting them in meeting the requirements of Health and Safety Plans.

5.3. Managers responsible for DBC buildings and grounds (Premises / Grounds Controllers).

In addition to the manager and employee responsibilities, those responsible for day to day management of buildings and land are responsible for:

Plan	<ul style="list-style-type: none"> Ensuring that they understand the risks arising from buildings and land they control and what to do to manage them.
Do	<ul style="list-style-type: none"> Assessing building and land related risks and putting into place suitable health and safety measures. Ensuring the building, associated services and land (including trees) are maintained in a safe condition and that statutory requirements are met. Managing risks from fire, legionella, asbestos, gas, electricity and lifting equipment, seeking competent advice and support from Housing and Property Services or CHSR. Ensuring that suitable arrangements are in place for fire, first aid and other emergencies. This includes arrangements for those who are unable to use stairs or evacuate unaided Ensuring that good communication, co-operation and co-ordination takes place with building users, on health and safety. Compliance with the Council's Policy on CDM and Contractor Management, seeking support on CDM from Housing and Property Services to ensure statutory requirements are met Ensuring that health and safety responsibilities are clearly defined in tenancy agreements.
Check	<ul style="list-style-type: none"> Carrying out or arranging regular, risk based formal inspections of buildings, fixed structures, plant, land and areas under their control Taking action where significant risks are identified to protect building or land users from harm, until the defect can be remedied
Act	<ul style="list-style-type: none"> Regularly reviewing their arrangements for the safety of buildings and land. Providing reports on building compliance issues where requested. Reporting concerns that they do not have the resources to address up to their line manager.

5.4. Assistant Directors and Heads of Service

In addition to their employee and management responsibilities, Assistant Directors (inc. Chief Officers) and Heads of Service have overall responsibility and accountability for ensuring that health and safety risks are managed in such a way as to meet Council aims and to ensure legal compliance as the minimum. They are responsible for:

Plan	<ul style="list-style-type: none"> Providing leadership on health and safety Taking account of health and safety requirements and resources when developing Service Plans. Implementing the Council's Health and Safety Strategy and Plans in their Service. Where required developing and keeping under review a specific Health and Safety Plan for their Service. Completing an annual Self-audit for their Service and setting out plans to address any areas for improvement.
Do	<ul style="list-style-type: none"> Ensuring that there are appropriate, written arrangements for the implementation of the health and safety policies and plans and the management of health and safety in their Service. Ensuring that there are written arrangements in place for managing significant risks arising from the Service's activities that are not covered by the corporate health and safety policies. Understanding the health and safety risks relating to their Service and, where

	<p>necessary, escalating health and safety risks to the Council's Risk Register</p> <ul style="list-style-type: none"> • Ensuring there are arrangements in place for communication on health and safety and providing opportunities for feedback and discussion on health and safety. • Ensuring there are arrangements in place for training and, where necessary formal competency checks, for risks that are specific to the Service's activities. • Identifying safety critical work, appointing appropriate employees to those roles and ensuring they are competent to undertake them. • Ensure employees (and their Trade Union Safety Representative) are consulted in good time on matters that affect their health and safety at work. • Identifying the resources necessary to meet health and safety requirements. Advising and making recommendations to their Strategic Director where a need for additional resources is identified • Ensuring all contracts and partnership arrangements are adequate in terms of health and safety provisions and that contractors are monitored to ensure they meet corporate standards. • Ensuring that projects and events that are the responsibility of the Service have sufficient access to competent advice and resources for health and safety. • Seeking or appointing competent specialist advice where necessary to assist in ensuring health and safety requirements are met.
Check	<ul style="list-style-type: none"> • Ensuring that suitable systems are in place for the regular monitoring and review of health and safety in the Service. • Checking that managers within the Service are meet their health and safety responsibilities and providing support where needed.
Act	<ul style="list-style-type: none"> • Ensuring that Service arrangements for health and safety are regularly reviewed • As required provide reports on health and safety performance to their Strategic Director, Health and Safety Board and CHSR.

6. Strategic Responsibilities

6.1. Cabinet / Elected Members

Collectively Strategic Leadership Team (SLT) and Cabinet constitute the “directing mind” of DBC and so have overall accountability and responsibility for leadership and strategic direction on health and safety.

Decisions made by cabinet and individual portfolio holders must comply with health and safety legislation and the Council’s health and safety policies. Members of SLT and other senior officers will provide advice on the health and safety impact of policy decisions to Members.

Plan	<ul style="list-style-type: none"> • Demonstrating their commitment to high standards of Health and Safety • Approving the Council’s policy and strategy on health and safety
Do	<ul style="list-style-type: none"> • Taking account of health and safety impacts in decision making – • Where necessary seeking competent advice before making decisions that may affect health and safety. • Ensuring adequate resources are allocated to the effective management of health and safety risk
Check	<ul style="list-style-type: none"> • Ensuring they are kept informed about significant health and safety risks and issues, action taken to address significant audit findings • Seeking assurances on the effectiveness of risk controls for significant health and safety risks.
Act	<ul style="list-style-type: none"> • Receiving, and considering findings from, the Council’s Annual Health and Safety Report and, as required ad hoc health and safety related reports.

6.2. Chief Executive

As the most senior employee the Chief Executive has overall accountability to Cabinet for health and safety at the Council. They have overall responsibility for ensuring that the Corporate Health and Safety Policy is implemented and that all health and safety matters are brought to the attention of the Elected Members.

The Chief Executive will also direct the execution of this Policy and ensure that adequate resources are available to enable ongoing improvements and in particular:

Plan	<ul style="list-style-type: none"> • Visibly leading on health and safety and setting expectations on SLT to lead health and safety in their Directorate • Ensuring that Council’s Policy and strategy on health and safety is developed, monitored and kept under review
Do	<ul style="list-style-type: none"> • Through SLT, steer the implementation of the Health and Safety Policy, Strategy and Plans • As the Duty holder, accepting overall responsibility for ensuring there are effective arrangements for the management of risks. • Appoint a member of SLT to take responsibility for overseeing the Council’s health and safety management system and Chairing the Health and Safety Board • Holding Directors to account for health and safety performance in their Directorate
Check	<ul style="list-style-type: none"> • Ensuring health and safety performance is appropriately measured, monitored and reported upon
Act	<ul style="list-style-type: none"> • Receiving, and considering findings from, health and safety performance

	<p>reviews, audits and reports.</p> <ul style="list-style-type: none"> • Making decisions, where required, about the nature and timing of the actions necessary to remedy deficiencies. • Keeping Elected Members informed on significant health and safety risks
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6.3. Strategic Directors / Strategic Leadership Team (SLT)

All members of SLT are collectively and individually responsible for overall health and safety management at the Council. Their actions should ensure that the health and safety of employees and residents becomes an integral part of the Council's culture, of its values and performance standards.

Plan	<ul style="list-style-type: none"> • Visibly and actively demonstrating leadership in requiring and supporting high standards of health and safety performance in all the corporate undertakings • By leadership and personal example, fostering positive attitudes towards health, and safety, such that commitment to health and safety becomes embedded as part of Council's shared values; • Agree and approve the Corporate Health and Safety Policy, Strategy and Plan
Do	<ul style="list-style-type: none"> • Ensuring that they understand the risk profile of the Council and their Directorate and seek assurances from the relevant senior managers (risk owner) on the management of significant risks • Ensuring that significant health and safety risks are recorded on the appropriate Council risk register and monitored • Overseeing the implementation of the Corporate Health and Safety Policy, Strategy and Plan in their Directorate • Embedding health and safety into the Council's policies, procedures, and communications, so that it is recognised as part of how we do things. • Ensuring that the required level of 'competent' persons are maintained within the Council to support them on meeting their responsibilities • Ensuring that Health and Safety is a standard agenda item on SLT and Directorate Management Team meetings, and cover areas as set out under the Corporate H&S Strategy and Plan. • Ensuring that health and safety risks are identified and addressed as part of the Council's risk register, strategic and service plans and planning of new projects • Ensuring that elected members are advised of the potential health and safety impacts of strategic policy decisions • Encouraging collaboration and shared learning for the improvement of health and safety across the Council. • Ensuring arrangements are in place for consulting employees or their representatives on matters that may affect employee health and safety • Ensuring adequate resources are allocated to the effective management of health and safety risk • Ensuring that the appropriate mechanisms and meetings are in place to allow feedback from and information to all levels of the Services that sit under them.
Check	<ul style="list-style-type: none"> • Monitoring the implementation of the Council's health and safety policy, strategy and plan in their Directorate • Agreeing appropriate measures through which health and safety performance can be monitored corporately and within the Directorates. • Ensure performance information for their Service areas is reported to Health and Safety Board and SLT. • Ensuring that they, their Portfolio Holder and Cabinet are kept informed of and alert to significant health and safety risks and issues

Act	<ul style="list-style-type: none"> Receiving, and considering findings from, health and safety performance reviews, audits and reports, including an annual health and safety report. Take action to address areas of concern where it relates to their Directorate Regularly review implementation of the Corporate Health and Safety Policy, Strategy and Plan
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In addition to the above, Strategic Directors have accountability for specific risks relating to the activities of Services in their Directorate. These are detailed below.

6.4. Health and Safety Director

The Health and Safety Director is appointed by the Chief Executive to support the Chief Executive and SLT in ensuring there are suitable systems in place for management of health and safety and independent oversight of implementation

Plan	<ul style="list-style-type: none"> Lead the regular review and revision of the Health and Safety Policy, strategy and Plan
Do	<ul style="list-style-type: none"> Ensure there are appropriate arrangements in place for: <ul style="list-style-type: none"> The provision of competent advice The organisation, planning, implementation, monitoring and review of health and safety Regularly meeting and working with the Corporate Health and Safety Manager to ensure appropriate corporate arrangements are in place for communication, training, management of key risks, monitoring and audit Overseeing, and recommending to SLT, arrangements for the provision of competent health and safety and fire safety advice Chairing and coordinating the Health and Safety Board and associated papers Consulting with Trade Unions on matters of health and safety strategy, policy and performance Provide lesson learnt briefings to communicate organizational learning
Check	<ul style="list-style-type: none"> Keeping the Chief Executive and SLT informed of significant health and safety risks and issues Leading the monitoring of the implementation of the Health and Safety Policy, strategy and plan
Act	<ul style="list-style-type: none"> Providing regular performance reports and an annual health and safety report, to SLT, and Scrutiny. Ensuring health and safety concerns and performance issues that are raised through Health and Safety Board or CHSR are addressed through the relevant member(s) of SLT.

6.5. Strategic Director - Housing and Property Services

Plan	<ul style="list-style-type: none"> Overall responsibility for the development, implementation and review of Legionella Management Plans, Asbestos Management Plans and Fire Safety Plans for the Council's housing stock, core and commercial buildings directly managed by DBC. Overall accountability for local management of risks from fire, legionella, asbestos, gas, electricity and lifting equipment for building, land and equipment under the direct control of the Directorate (FLAGEP) Ensuring adequate resources are allocated to the management of health and safety risks within the Directorate
Do	<ul style="list-style-type: none"> Understand the risk profile of the Services within the Directorate and ensure that Heads of Service are suitably competent to manage such risks Ensuring that the Council's responsibilities under the Construction (Design and

	<p>Management) Regulations are met in relation to construction work² managed by the Directorate, and supporting other Directorates in meeting their responsibilities</p> <ul style="list-style-type: none"> • Ensuring responsibilities for health and safety are clearly defined in contracts, partnership arrangements and tenancy agreements
Check	<ul style="list-style-type: none"> • Monitoring and reporting on statutory compliance in relation to fire, legionella, asbestos, gas systems, electrical systems and passenger lifts (FLAGEP) and other significant building risks • As necessary, arranging for the monitoring of the condition of the Council's buildings and structures to ensure structural integrity • Seek regular assurance on health and safety performance of contractors and tenant health and safety matters
Act	<ul style="list-style-type: none"> • Regularly reviewing arrangements for the management of building related health and safety risks and other significant health and safety risks within the Directorate

6.6. Strategic Director - Neighbourhood Operations

Plan	<ul style="list-style-type: none"> • Overall accountability for local management of risks under the control of the Directorate. • Ensuring adequate resources are allocated to the management of health and safety risks within the Directorate
Do	<ul style="list-style-type: none"> • Understand the risk profile of the Services within the Directorate and ensure that Heads of Service are suitably competent to manage such risks • Confirm that Premises Controllers are identified for buildings under the control of the Directorate and that they understand their responsibilities in relation to the safety of the buildings • Ensuring responsibilities for health and safety are clearly defined in contracts
Check	<ul style="list-style-type: none"> • Receiving assurance that appropriate inspection and maintenance regimes are in place for buildings, grounds, structures, hazardous work equipment and play equipment that is under the control of the Directorate • Receiving assurance with regards to the safety of residents or users of open spaces and associated recreational facilities, who may be impacted by the work activities of the Directorate • Seek assurance that responsibilities under the Construction (Design and Management) Regulations are met in relation to construction work that is the responsibility of the Directorate • Seek assurance that, through the Operational Transport Policy, that there are suitable health and safety arrangements in place for Council's vehicle and plant fleet, including arrangements for maintenance and for ensuring the competency and capability of drivers / users • Seek assurance on competencies of contractors
Act	<ul style="list-style-type: none"> • Regularly review arrangements for the management of significant health and safety risks within the Directorate.

6.7. Strategic Director – Place

Plan	<ul style="list-style-type: none"> • Overall accountability for local management of risks from fire, legionella, asbestos, gas, electricity and lifting equipment for building, land and equipment under the control of the Directorate (FLAGEP). • Ensuring adequate resources are allocated to the management of health and safety risks within the Directorate
Do	<ul style="list-style-type: none"> • Understand the risk profile of the Services within the Directorate and ensure that Heads of Service are suitably competent to manage such risks.

	<ul style="list-style-type: none"> • Confirm that Premises Controllers are appointed for buildings under the control of the Directorate and that they understand their responsibilities in relation to the safety of the building • Ensuring that events organised by the Directorate are planned in accordance with the DBC Event Management Policy and that sufficient time and resources are given to the planning of events. • Confirm that those responsible for organising events are competent in managing the health and safety aspects or have access to competent advice. • Ensuring that responsibilities under the Construction (Design and Management) Regulations are met in relation to construction work² that is the responsibility of the Directorate. • Ensuring responsibilities for health and safety are clearly defined in contracts, partnership arrangements and, for business center spaces, tenancy agreements
Check	<ul style="list-style-type: none"> • Receiving assurance that appropriate inspection and maintenance regimes are in place for buildings, grounds, structures, hazardous work equipment and play equipment that is under the control of the Directorate • Receiving assurance with regards to the safety of residents or users of leisure and recreation facilities who may be impacted by the work activities of the Directorate. • Receive assurance on health and safety performance of contractors and Business Centre tenant health and safety matters
Act	<ul style="list-style-type: none"> • Regularly review arrangements for the management of significant health and Safety risks within the Directorate.

6.8. Strategic Director - People and Transformation

Plan	<ul style="list-style-type: none"> • Work with the Health and Safety Director to facilitate embedding health and safety into the Council's wider policies, strategies, plans, projects and performance management systems • Work with the Heads of Service to positively promote the embedding of health and safety into people policies, strategies, projects and plans
Do	<ul style="list-style-type: none"> • Ensure the availability of competent advice and services to support DBC on occupational health and wellbeing • Ensure that events and filming organised by the Directorate are planned in accordance with the DBC Event Management Policy, and that sufficient time and resources are given to the planning of events • Confirm that those responsible for organising corporate and civic event and filming are competent in managing the health and safety aspects or have access to competent advice.
Check	<ul style="list-style-type: none"> • Ensure availability of performance data to H&S Board on corporate health and safety training compliance and work health matters
Act	<ul style="list-style-type: none"> • Regularly review arrangements for the management of occupational health risks and events within the Directorate.

6.9. Strategic Director - Corporate and Commercial Services

Plan	<ul style="list-style-type: none"> Ensure that health and safety is embedded into the Council's procurement policies and procedures
Do	<ul style="list-style-type: none"> Ensure that Members have access to training on their health and safety responsibilities and to the councils health and safety policies Ensure there are suitable health and safety arrangements for canvassing, elections and for work carried out by Members Ensuring that responsibilities under the Construction (Design and Management) Regulations are met in relation to construction work² that is the responsibility of the Directorate.
Check	<ul style="list-style-type: none"> Receive assurance on health and safety performance of contractors managed by the Directorate Through the Monitoring Office, be alert to potential breaches of health and safety legislation brought about by the conduct of Members and Officers.
Act	<ul style="list-style-type: none"> Ensure Members are signposted to seek competent health and safety advice to assist with decision making and health and safety in relation to their activities

7. Advice and Assistance

7.1. Corporate Health, Safety and Resilience (CHSR)

The CHSR team provide competent health and safety and fire advice and assistance in accordance with the Management of Health and Safety at Work Regulations and Regulatory Reform (Fire Safety) Order.

Plan	<ul style="list-style-type: none"> Advising the Council's leaders on health and safety Policy, strategy and planning Lead in the development, monitoring and review of Corporate health and Safety Plans
Do	<ul style="list-style-type: none"> Promoting, and establishing arrangements for the effective communication of health and safety across the Council Providing health and safety advice and support to Strategic Directors, Assistant Directors, Heads of Service, managers and supervisors, enabling them to meet their health and safety responsibilities Establishing a corporate health and safety competency and training matrix and liaising with Human Resources to ensure delivery of suitable health and safety training Examining new legislation and best practice guidance and advising on the practical application to the Council's work activities Developing and keeping under review corporate policies and guidance, and advising on Service or team procedures and risk assessments Supporting and advising the Health and Safety Director on the Councils health and Safety Risk Profile, and advising on Service / Directorate health and safety risk profiles Liaising with health and safety / fire safety enforcement bodies and overseeing actions arising from enforcement activity, to ensure it is addressed.
Check	<ul style="list-style-type: none"> Establishing systems for reporting accident and incidents and ensuring investigations are carried out for the purposes of learning and continual improvement and develop lesson learnt briefings to communicate organizational learning Establishing systems for the monitoring and review of health and safety performance and delivering a programme of health and safety audits

	<ul style="list-style-type: none"> Monitoring actions arising from audits, inspections and investigations
Act	<ul style="list-style-type: none"> Producing health and safety performance data for Health and Safety Board, SLT and the Council's Portfolio holder for health and safety Support the Health and Safety Director in the production of an Annual Health and Safety Report Use information gathered through monitoring, audit and review to recommend further action to improve health and safety at the Council

7.2. Human Resources

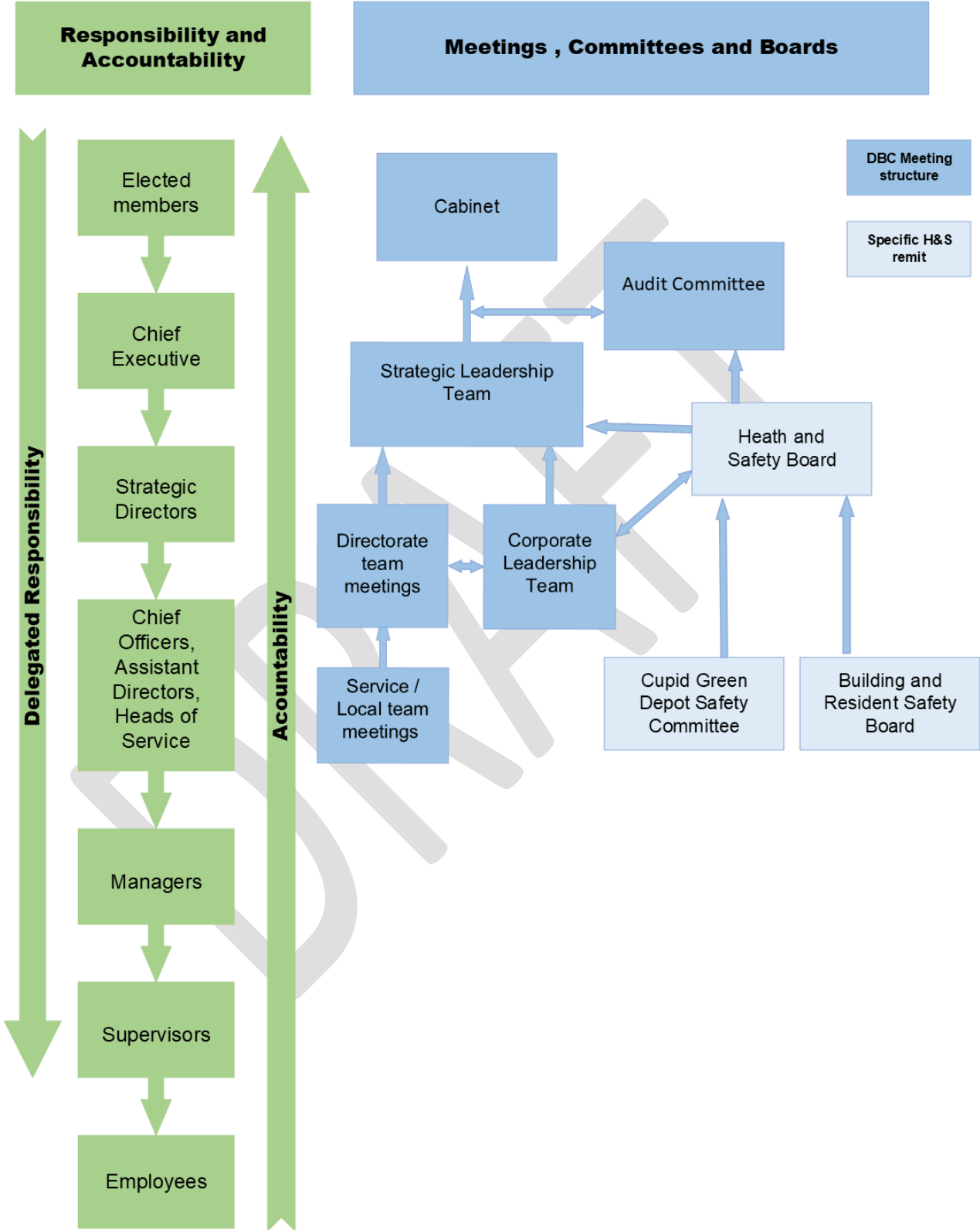
Plan	<ul style="list-style-type: none"> Develop Human Resources policies that support the provision of a good working environment and supportive culture to the benefit of employee health, safety and wellbeing
Do	<ul style="list-style-type: none"> Ensure the availability of competent occupational health advice and resources for statutory health monitoring and surveillance Ensure there is a suitable policy and processes in place for the identification and management of work-related stress (at an organisational and individual level), , and provide mechanisms for supporting staff affected by stress and mental health In liaison with CHSR, support DBC in the provision of suitable health and safety training covering management skills and risks that are common across the Council Ensure there are suitable services available for vaccination, for employees exposed to health risks at work, for which vaccination provides protection
Check	<ul style="list-style-type: none"> Monitor, and provide performance data to H&S Board on, mandatory health and safety training compliance, sickness absence, work related ill health and outcomes of health surveillance and health monitoring
Act	<ul style="list-style-type: none"> Provide advice and support, in liaison with the CHSR team, where work-related health issues are identified or reasonable adjustments are needed for health and safety Take action to address areas for improvement identified by monitoring performance data

8. Policy arrangements

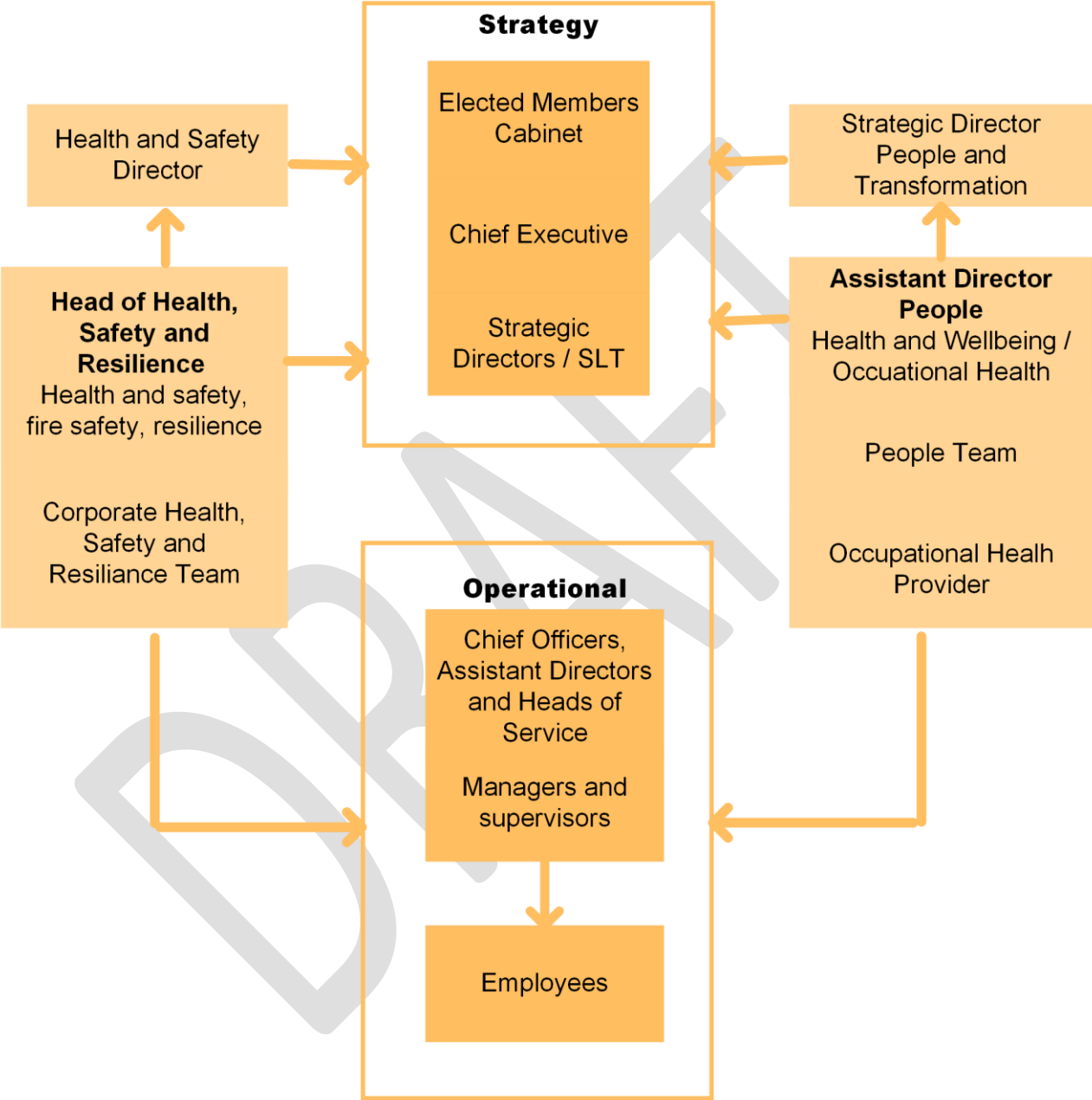
The arrangements for implementing this Policy are set out in the Health and Safety Strategy, Health and Safety Management Arrangements and various policies, procedures, risk assessments and safe working procedures. These documents

[Corporate Health and Safety Policies](#) are available on DENNIS. Local procedures are available from the manager responsible for the work activity. These detail how we do things safely and meet our legal responsibilities for health and safety. It is therefore mandatory to follow them.

Appendix 1: Corporate Health & Safety Structure



Advice and support



DRAFT

Dacorum BC Community Impact Assessment (CIA) Template

Policy / service / decision

Corporate Health & Safety Policy

Description of what is being impact assessed

What are the aims of the service, proposal, project? What outcomes do you want to achieve? What are the reasons for the proposal or change? Do you need to reference/consider any related projects?

Stakeholders; Who will be affected? Which protected characteristics is it most relevant to? Consider the public, service users, partners, staff, Members, etc

It is advisable to involve at least one colleague in the preparation of the assessment, dependent on likely level of impact

This is an annual review of the previously published health and safety policy. There are no significant changes to the documents more minor amendments to keep the document current.

Evidence

What data/information have you used to assess how this policy/service/decision might impact on protected groups?

(include relevant national/local data, research, monitoring information, service user feedback, complaints, audits, consultations, CIAs from other projects or other local authorities, etc.). You should include such information in a proportionate manner to reflect the level of impact of the policy/service/decision.

It is a generic policy so applies to all groups equally so individual group information is not collected.

Who have you consulted with to assess possible impact on protected groups? *If you have not consulted other people, please explain why? You should include such information in a proportionate manner to reflect the level of impact of the policy/service/decision.*

CLT, SLT, Health & Safety Board, PH SLT and the Union. No impacts identified

Analysis of impact on protected groups (and others)

The Public Sector Equality Duty requires Dacorum BC to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service/decision will achieve these aims. Using the table below, detail what considerations and potential impacts against each of these using the evidence that you have collated and your own understanding. Based on this information, make an assessment of the likely outcome, **before** you have implemented any mitigation.

- The PCs of Marriage and Civil Partnership and Pregnancy and Maternity should be added if their inclusion is relevant for impact assessment.
- Use “insert below” menu layout option to insert extra rows where relevant (e.g. extra rows for different impairments within Disability).

Summary of impact		Negative impact / outcome	Neutral impact / outcome	Positive impact / outcome
Protected group	<i>What do you know? What do people tell you? Summary of data and feedback about service users and the wider community/ public. Who uses / will use the service? Who doesn't / can't and why? Feedback/complaints?</i>			
Age	Applies to all age groups within DBC	□	⊗	□


Disability (physical, intellectual, mental) <i>Refer to CIA Guidance Notes and Mental Illness & Learning Disability Guide</i>	No specific impact	□	⊗	□
Gender reassignment	No specific impact	□	⊗	□
Race and ethnicity	Applies to all race and ethnicity groups within DBC	□	⊗	□
Religion or belief	No specific impact	□	□	□
Sex	No specific impact	□	⊗	□
Sexual orientation	No specific impact	□	⊗	□

<p>Not protected characteristics but consider other factors, e.g. carers, care leavers, veterans, homeless, low income, loneliness, rurality etc.</p>	<p>No specific impact</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Negative impacts / outcomes action plan

Where you have ascertained that there will potentially be negative impacts / outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

<p>Action taken/to be taken <i>(copy & paste the negative impact / outcome then detail action)</i></p>	<p>Date</p>	<p>Person responsible</p>	<p>Action complete</p>
<p>Not applicable.</p>	<p>Select date</p>		<input checked="" type="checkbox"/>
	<p>Select date</p>		<input type="checkbox"/>
	<p>Select date</p>		<input type="checkbox"/>
	<p>Select date</p>		<input type="checkbox"/>

	Select date		<input type="checkbox"/>
	Select date		<input type="checkbox"/>
	Select date		<input type="checkbox"/>
	Select date		<input type="checkbox"/>
If negative impacts / outcomes remain, please provide an explanation below.			
None			
Completed by (all involved in CIA)	Martin Kirk		
Date	09/05/2024		
Signed off by (AD from different Directorate if being presented to SLT / Cabinet)	 Natasha Beresford		
Date	09/05/2024		

Entered onto CIA database - date	
To be reviewed by (officer name)	
Review date	



Report for:	Cabinet
Title of report:	Interim Affordable Housing Supplementary Planning Document: Draft for Public Consultation
Date:	21 May 2024
Report on behalf of:	Councillor Sheron Wilkie, Portfolio Holder for Place
Part:	I
If Part II, reason:	N/A
Appendices:	Appendix 1: Interim Affordable Housing Supplementary Planning Document: Draft for Public Consultation Appendix 2: Community Impact Assessment
Background papers:	Dacorum Borough Council Statement of Community Involvement https://web.dacorum.gov.uk/docs/default-source/strategic-planning/statement-of-community-involvement-adopted-july-2016.pdf?sfvrsn=4
Glossary of acronyms and any other abbreviations used in this report:	SPD: Supplementary Planning Document

Responsible Officer: Sara Whelan (Assistant Director, Planning)

Report Author: John Chapman (Strategic Planning and Regeneration Officer)



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Corporate Priorities	A clean, safe and enjoyable environment Building strong and vibrant communities Ensuring economic growth and prosperity Providing good quality affordable homes, in particular for those most in need
Wards affected	ALL

<p>Purpose of the report:</p>	<p>To present the draft Supplementary Planning Document (SPD) to Cabinet for sign-off, prior to public consultation on the document.</p>
<p>Recommendation (s) to the decision maker (s):</p>	<p>1 That Cabinet approves the draft Supplementary Planning Document (SPD) for public consultation.</p> <p>2 That Cabinet notes that a final version of the SPD will be presented to Cabinet for adoption towards the end of 2024, following the conclusion of the consultation process.</p>
<p>Period for post policy/project review:</p>	<p>This Affordable Housing SPD document is for consultation only at this stage. A final version of the Affordable Housing SPD will be produced following the consultation period.</p> <p>Once the final document is agreed at committee, there will be a six-week legal review period allowing for any challenge. Following the six-week review period the SPD will formally be adopted by the Council.</p> <p>There is no requirement for a review of the SPD after adoption. The Council can choose to amend the SPD if there is a change to National, or Local, Policy on affordable housing. However, the text and policies from the SPD will be included in the Local Plan and, upon adoption of the Local Plan, the SPD would be superseded. The status of the Affordable Housing SPD will be clarified at the time of the future Local Plan adoption.</p>

1 Introduction/Background:

- 1.1. The Council's adopted planning policies on affordable housing are set out in the Core Strategy (2013) and Site Allocations Development Plan Document (2017):

https://www.dacorum.gov.uk/docs/default-source/strategic-planning/adopted-core-strategy-2013.pdf?sfvrsn=80753a9e_2

https://www.dacorum.gov.uk/docs/default-source/strategic-planning/dacorum-site-allocations-statement-june-2017.pdf?sfvrsn=d63a3c9e_10

- 1.2. The table below shows the key points in these policies:

Policy	Key points
Core Strategy Policy CS18 (mix of housing)	<ul style="list-style-type: none">• Provide a choice of homes, including affordable housing.
Core Strategy Policy CS19 (affordable housing)	<ul style="list-style-type: none">• Requires 35% affordable housing.• At least 75% of affordable homes should be for rent.• 100% affordable housing on rural sites.
Core Strategy Policy CS20 (rural sites for affordable homes)	<ul style="list-style-type: none">• Encourages small-scale schemes for local affordable homes at selected small villages.
Site Allocations Policies LA1-LA6 (one policy for each local allocation)	<ul style="list-style-type: none">• 40% affordable housing required on six key sites called local allocations.

- 1.3. Supplementary guidance on Dacorum's planning policies for affordable housing is currently provided by the following documents:

- Affordable Housing Supplementary Planning Document (September 2013)
https://www.dacorum.gov.uk/docs/default-source/planning-development/affordable-housing-spd-2013-nbsp-.pdf?sfvrsn=5b39f89f_0
- Affordable Housing SPD - Clarification Note (revised March 2022)
https://www.dacorum.gov.uk/docs/default-source/strategic-planning/affordable-housing-spd-clarification-note-update-march-2022.pdf?sfvrsn=119e079e_4

- 1.4. There is a need to replace these documents with a new Supplementary Planning Document (SPD), for the following main reasons:

1. To ensure that rented affordable housing is genuinely affordable for households in need of such housing.
2. To take account of changed Government guidance on affordable housing, including the introduction of First Homes.
3. To provide updated and expanded guidance on how the Council's planning policies for affordable housing should be applied.

- 1.5. A new draft SPD has been produced for consultation purposes and is appended to this report (see Appendix 1).

2 Draft Interim Affordable Housing SPD

- 2.1 The purpose of the new SPD is to supplement the Council's existing policies on affordable housing. It cannot change these policies. Revised planning policies on affordable housing will be included in the new Local Plan.
- 2.2 The new SPD is referred to as 'Interim', as it will be operational only until the new Local Plan is adopted. At that time, it is envisaged that an updated Affordable Housing SPD will also be adopted, to supplement the new Local Plan's affordable housing policies.
- 2.3 There are six parts to the SPD, (see paragraph 1.11 in the draft SPD for further information):
- Part 1: Introduction and policy context
 - Part 2: Affordable housing qualifying sites and overall affordable housing percentage
 - Part 3: Different affordable housing tenures
 - Part 4: Affordable housing mix, design and layout
 - Part 5: Considering planning applications
 - Part 6: Other considerations
- 2.4 The draft SPD is a lengthy and technical document, because it needs to cover a wide range of issues.
- 2.5 To obtain an overview of the SPD, please see the Executive Summary or the slightly longer 'key guidance' at the start of each section.

3 Options and alternatives considered

The alternative to having a new SPD is to continue using the existing SPD and Clarification Note (see paragraph 1.3 above). However, these documents do not provide comprehensive guidance on all the key planning issues relating to affordable housing and in some respects they are out-of-date.

4 Consultation

- 4.1 Consultation has been carried out with the following Council teams:
- Strategic Housing and Regeneration
 - Housing Needs
 - Supported Housing
 - Legal
 - Development Management
 - Infrastructure Planning and Developer Contributions
- 4.2 The draft SPD has also been considered by the Council's Strategic Leadership Team and at a Strategic Leadership Team/Portfolio Holders meeting.
- 4.3 The Council's Strategic Planning and Environment Overview and Scrutiny Committee considered the draft SPD on 6 March 2024. The committee did not make any recommendations to Cabinet, but the chair asked members to submit written comments on the document. None have been received.

Public consultation

- 4.4 If approved by Cabinet, the draft Interim Affordable Housing SPD will be published for public consultation.

4.5 There will be a four week period of public consultation on the draft SPD. It will follow the standard process for consultation on draft SPDs, in accordance with relevant legislation and our adopted Statement of Community Involvement which is included as part of the background papers to this report.

5 Financial and value for money implications:

Other than the cost of undertaking public consultation, which is covered by the Local Plan budget, the draft SPD has limited financial implications for the Council.

6 Legal Implications

The draft SPD supports the relevant policies of the adopted Core Strategy and is fully consistent with changes to National Policy since its adoption.

7 Risk implications:

Without a new SPD, the Council will be in a much weaker position to obtain the optimum affordable housing offer on housing developments, including:

- The amount of affordable housing.
- Affordable rented housing that is genuinely affordable.
- An appropriate mix of affordable housing types, tenures and sizes.

8 Equalities, Community Impact and Human Rights

8.1 A Community Impact Assessment (CIA) is prepared to support the Interim Affordable Housing SPD (see Appendix 2). The SPD has been assessed as a neutral or positive impact when considering all protected characteristics. Public consultation on the draft Interim Affordable Housing SPD will enable the Council to consult with a much wider range of stakeholders, including those who represent protected and vulnerable groups both within the Borough and beyond.

8.2 There are no Human Rights Implications arising from this report.

9 Sustainability implications (including climate change, health and wellbeing, community safety)

There are no sustainability implications arising from this report.

10 Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

There are no implications to Council infrastructure arising from this report.

11. Statutory Comments

Monitoring Officer

This SPD will ensure that the Council's affordable housing policies are consistent with relevant government guidance and best practice and will provide a framework for consistent and informed decision making.

S151 Officer:

The SPD will make decision making more transparent and consistent, without any direct impact on the council financially.

12. Conclusions and Next Steps

- 12.1 This report explains why a new Interim Affordable Housing SPD is needed and presents a draft for Cabinet's considerations. Officers will give careful consideration to all comments submitted on the draft SPD. A revised version of the SPD will then be submitted to Members in the summer, with a recommendation that the SPD be adopted by Cabinet.
- 12.2 Following public consultation, the draft SPD will be updated and finalised taking account of comments received. A consultation report will be prepared that summarises issues and feedback received through the public consultation.
- 12.3 At this stage, the draft SPD will also be amended to reflect the revised South West Hertfordshire Local Housing Needs Assessment, which will contain a wide range of information and advice on housing needs including the need for affordable housing.
- 12.4 The updated draft SPD and the consultation report will be presented to Scrutiny and Cabinet as part of the process for formally adopting the SPD later this year.
- 12.5 Once the SPD has been adopted, it will be a material planning consideration, which the Council will take into account when deciding planning applications for housing development.

APPENDIX 1

**INTERIM AFFORDABLE HOUSING
SUPPLEMENTARY PLANNING DOCUMENT**

DRAFT FOR PUBLIC CONSULTATION

MAY 2024



Social rented housing at Magenta Court, London Road, Apsley, Hemel Hempstead



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FOREWORD

The Foreword should be written by the Portfolio Holder for Place and possibly also the Portfolio Holder for Housing & Property Services. The text might be along the following lines:

Supplementary guidance on Dacorum's planning policies for affordable housing is currently set out in the following documents:

- Affordable Housing Supplementary Planning Document (September 2013)
- Affordable Housing SPD - Clarification Note (revised March 2022)

There is a need to replace these documents by a new Supplementary Planning Document (SPD), for the following main reasons:

1. The Council wishes to ensure that rented affordable housing is genuinely affordable for households in need of such housing.
2. To take account of changed Government guidance on affordable housing, including the introduction of First Homes.
3. To provide updated and expanded guidance on how our planning policies for affordable housing should be applied.

Therefore, the Council has prepared this draft new SPD for public consultation purposes. Please let us know your views on the draft SPD by xxxx 2024. [Add details on how to respond.](#)

We will give careful consideration to all comments submitted on the draft SPD before finalising the new guidance. The new SPD will then replace the 2013 and 2022 documents. It will be a material planning consideration which we will take into account when deciding planning applications for housing development.

EXECUTIVE SUMMARY

PART 1: INTRODUCTION AND POLICY CONTEXT

1. Introduction

The Interim Affordable Housing Supplementary Planning Document (SPD) supplements the Council's planning policies on affordable housing.

The Council will use the SPD when deciding planning applications for housing development.

The SPD reflects changed Government guidance, clarifies the operation of our policies and seeks to ensure that rented affordable housing is genuinely affordable.

2. National planning policy context

The Council must take account of Government guidance on affordable housing and any future changes to it. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The Government's Planning Practice Guidance notes (PPGs) provide additional, more detailed guidance to supplement the NPPF.

Government guidance states that on major housing developments, at least:

- 10% of homes should be for affordable home ownership, subject to certain provisos and exemptions; and
- 25% of the affordable homes should be First Homes.

3. Dacorum planning policy context

The Council's adopted planning policies on affordable housing are summarised below. This SPD supplements these policies:

Policy	Key points
Core Strategy Policy CS18 (mix of housing)	<ul style="list-style-type: none">• Provide a choice of homes, including affordable housing.
Core Strategy Policy CS19 (affordable housing)	<ul style="list-style-type: none">• Requires 35% affordable housing.• At least 75% of affordable homes should be for rent.• 100% affordable housing on rural sites.
Core Strategy Policy CS20 (rural sites for affordable homes)	<ul style="list-style-type: none">• Encourages small-scale schemes for local affordable homes at selected small villages.
Site Allocations Policies LA1-LA6 (one policy for each local allocation)	<ul style="list-style-type: none">• 40% affordable housing required on six key sites called local allocations.

The Council is preparing a new Local Plan, but we are still working to the adopted affordable housing policies when considering planning applications for housing development.

4. Other relevant Council documents

The Council has published some other documents relevant to affordable housing in Dacorum:

- Delivering for Dacorum: Corporate Plan 2020-2025.
- Shaping the future of Dacorum: Our Growth and Infrastructure Strategy to 2050.
- Homes for the Future: Housing Strategy 2019-2021 (new strategy due 2024).
- Housing Allocations Policy.
- Tenancy Strategy.

5. Neighbourhood plans in Dacorum

Progress on neighbourhood plans in Dacorum is shown below. The Grovehill, Kings Langley and Bovingdon plans include guidance on housing needs:

- Grovehill, Hemel Hempstead (made)
- Kings Langley (made)
- Bovingdon (submitted for examination)
- Great Gaddesden (work started)
- Berkhamsted (work started)

PART 2: QUALIFYING SITES AND OVERALL AFFORDABLE HOUSING PERCENTAGE

6. Which developments should provide affordable housing?

An element of affordable housing will be required on:

- Major developments throughout Dacorum (i.e. sites for 10 or more homes; or with a site area of 0.5 hectares or more).
- Sites for 6-9 homes in the Chilterns Area of Outstanding Natural Beauty.

The affordable housing should be provided on-site, unless off-site provision or a financial contribution is justified in terms of section 26.

7. Overall affordable housing percentage

On sites where affordable housing is required, the proportion of affordable housing should be as follows:

Type of site	Affordable housing percentage
1. All, except those covered by rows 2 and 3 below	35%
2. Local allocations	40%
3. Rural exception sites and First Homes exception sites	100%, subject to section 17 below

The amount of affordable housing will be reduced or waived, only where fully justified.

PART 3: DIFFERENT AFFORDABLE HOUSING TENURES

8. Different affordable housing tenures - overview

Government guidance splits affordable housing into:

- Affordable housing for rent
- Affordable home ownership

The main types of affordable housing likely to be provided in Dacorum are as follows:

Affordable housing for rent	<ul style="list-style-type: none"> • Social rent • Affordable rent • Affordable private rent in build to rent schemes
Affordable home ownership	<ul style="list-style-type: none"> • First Homes • Shared ownership • Rent to buy

Any proposals for other types of affordable home ownership will be treated on their merits.

9. Split between different types of affordable housing

The Core Strategy states that at least 75% of the affordable homes should be for rent, but we must also take account of Government guidance that:

- At least 10% of affordable homes should be for affordable home ownership.
- At least 25% of the affordable homes should be First Homes. The remainder of the affordable housing tenures should reflect the proportions in the local plan policy.

This results in the following split:

Affordable housing for rent	At least 56%
Affordable home ownership	No more than 44%

The Council favours the following percentage split between First Homes and other types of affordable home ownership, whilst recognising that it may not be possible to deliver shared ownership housing in flats:

Affordable home ownership (total)	No more than 44%
First Homes	25%
Other types of affordable home ownership, usually shared ownership and/or rent to buy	Up to 19%

10. Social rented housing

Social rented homes are generally owned by local authorities or registered providers. Rents are usually lower than for affordable rented homes.

The Council supports social rented housing, as can be seen by its own new build council house programme. We will encourage registered providers to build social rented housing, where possible.

11. Affordable rented housing

Government guidance requires affordable rented housing to be at least 20% cheaper than local market rates and for landlords to be registered providers.

The Council's priority is to ensure that affordable rented housing is genuinely affordable. Our starting point will be that rents should be 60% of median market values (including service charges), subject to viability. Such housing is called 'Dacorum Affordable Rent'

Rents should remain at around 60% of median market rents during the lifetime of this SPD, unless convincing evidence is brought forward to justify higher rents.

12. Affordable private rent in build to rent schemes

Build to rent housing is purpose built housing that is typically 100% rented out. The normal form of affordable housing in such schemes is 'affordable private rent'.

Government guidance states that 20% of homes on build to rent schemes should generally be for affordable private rent and rents on these homes should be at least 20% below local market rents.

As with other housing, the Council will expect the proportion of affordable homes in build to rent schemes to be 35% (40% on local allocations).

The approach in section 11 on Dacorum Affordable Rent can apply equally to affordable private rent.

When considering planning applications, we will bear in mind that Government guidance encourages flexibility.

13. First Homes

First Homes are discounted open market sale units, which will be the main type of affordable home ownership. Key requirements are that:

- First Homes must be discounted by a minimum of 30% against the market value.
- They are sold to first time buyers with a household income no more than £80,000.
- The first sale price must not exceed £250,000 (after applying the discount).
- First Homes should account for at least 25% of affordable homes, except in certain circumstances.

Most First Homes in Dacorum are likely to be flats. Therefore, in order to secure a broad mix of house sizes for affordable home ownership, 25% (and no more) of the affordable homes should be First Homes (unless the scheme is exempt from providing First Homes).

Eligibility for First Homes should comply with the Council's Local Connection Policy, once it is approved.

14. Shared ownership

Shared ownership housing enables households to purchase a share in a home with a mortgage, whilst paying rent on the rest. Purchasers can buy additional shares when they can afford to do so.

Despite the introduction of First Homes, shared ownership housing should form up to 19% of the affordable housing.

Most shared ownership homes should be houses with 2 or 3-bedrooms.

The total monthly costs (mortgage payments and rent) should be lower than renting or purchasing a similar home on the open market.

Applicants for shared ownership housing should comply with the Council's Local Connection Policy, once it is approved.

15. Rent to buy

Rent to buy housing is available initially for affordable rent, but can later be converted to outright ownership or shared ownership. There must also be an agreed length of tenancy, followed by an option to buy or rent again.

Eligibility for rent to buy housing will be assessed against the Council's Local Connection Policy, once it is approved.

16. Affordable housing on schemes for older people

Government guidance states that local authorities should plan to meet the full range of housing needs for older people. Local evidence shows a substantial need for additional affordable extra care housing and care home bedspaces.

The Council's approach towards affordable housing on different types of housing for older people is summarised below:

Type of housing	Affordable housing requirements on open market developments
Age-restricted general market housing	On-site provision of affordable housing.
Retirement living or sheltered housing	Affordable housing required through on-site provision, off-site provision or financial contribution.
Extra care housing or housing-with-care	Affordable housing required through on-site provision, off-site provision or financial contribution.
Residential care homes and nursing homes	Affordable bedspaces not required.

17 Exception sites

Exception sites can be permitted outside settlement boundaries as exceptions to normal planning policy (on land not allocated for housing).

Our approach towards the three types of exception sites is summarised below. Also, with rural exception sites and First Homes exceptions sites, a need for affordable housing must be established and the housing restricted to people with a strong local connection.

(i) Rural exception sites

The Council supports appropriate proposals in Aldbury, Chipperfield, Flamstead, Long Marston, Potten End, Wigginton and Wilstone.

A small element of open market housing will be permitted only if necessary to make a scheme viable.

(ii) First Homes exception sites

These sites deliver primarily First Homes, but can include a small proportion of open market housing if necessary to ensure viability, or other types of affordable housing if justified by evidence. Long Marston and Wilstone are the only acceptable places for such housing.

(iii) Community-led developments

These developments are provided by a not-for-profit organisation, primarily to meet the housing needs of its members and the wider local community.

The Council will support proposals in Long Marston and Wilstone which comply with Government guidance.

PART 4: AFFORDABLE HOUSING MIX, DESIGN AND LAYOUT

18. Housing size mix for affordable housing

Based on local evidence, the Council is seeking an overall housing size mix broadly as shown below, but will amend the split if justified by more up-to-date information:

Bedrooms	Social/affordable rented housing	Affordable home ownership	Open market housing
	%	%	%
1	30	25	5
2	35	40	20
3	25	25	45
4+	10	10	30

The housing size mix will be negotiated by the Council on a site by site basis and will vary accordingly.

The Council will request that all new homes are built to the nationally described space standards.

Affordable housing should usually be designed to accommodate two adults in one bedroom and two children in each further bedroom.

19. Design quality

Housing developments including affordable housing should comply with guidance from the Government and Homes England, the Council's planning policies and other relevant Council documents, including the Strategic Design Guide SPD.

As with all housing, affordable housing should be built to a high standard of design and amenity. In particular, the Council will expect a tenure-neutral design approach, so that it is not possible to distinguish between the affordable and open market housing.

20. Distribution and phasing of affordable housing

The Council will consider the distribution of social rented, affordable rented and shared ownership housing across a development on a site by site basis. In particular:

- The affordable housing should be fully integrated into the overall scheme layout, in clusters proportionate to the size of each site or phase and not usually exceeding 20 dwellings.
- The affordable housing should be indistinguishable from the open market housing.
- There should be an appropriate degree of separation between nearby affordable housing clusters.

On larger sites which will be developed in phases, there should be between 25% and 50% affordable housing in each phase.

21. Accessible and adaptable homes

In the light of the Building Regulations, Government guidance and local evidence, the Council's approach towards adaptable and accessible homes is as shown below:

Social and affordable housing, where the Council is responsible for allocating or nominating a person to live in the housing	Require 100% of homes to M4(2) accessible and adaptable standards and 10% to M4(3)(2)(b) wheelchair accessible standard, unless this is not possible for viability or other reasons. Ground floor flats should have level access to a wetroom, with a shower instead of a bath.
Other housing schemes	Encourage 100% of homes to M4(2) standards and 5% of market homes to M4(3)(2)(a) wheelchair adaptable standard.

22. Sustainable homes

Council policy states that new development will comply with the highest standards of sustainable design and construction possible. Government guidance requires new development to be planned for in a way that reduces greenhouse gas emissions and minimises energy consumption.

New development in Dacorum should comply with the above. The Council will encourage higher levels of energy efficiency and sustainable design and construction than required by the Government.

PART 5: CONSIDERING PLANNING APPLICATIONS

23. Submitting a planning application

The Council encourages the submission of a wide range of information on affordable housing at the pre-application stage. This should include a draft schedule of accommodation, covering matters such as the number of affordable homes and the tenures and housing size mix of the affordable housing.

Any information on affordable housing not provided at the pre-application stage should be included in the outline or full planning application.

An 'Affordable Housing Plan' should be submitted with planning applications, to help the Council assess the proposals against our affordable housing policies and this SPD.

24. Vacant building credit

Government guidance states that where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount, subject to certain provisos.

The Council's methodology to calculate vacant building credit is based on this guidance.

25. Viability

Government guidance states that the role for viability assessment is primarily at the plan making stage. It is up to the applicant to demonstrate that a viability assessment is needed at the application stage.

Any concerns an applicant has about viability should be discussed with the Council early in the development process. Should an agreement not be reached, a viability assessment will be required.

Viability assessments should accord with Government guidance and reflect best practice guidance.

The Council will seek review mechanisms where it would not be viable to comply with our affordable housing policies when planning permission is granted, but where it may become so during the course of the development.

26. Off-site affordable housing provision or financial contribution

Affordable housing should be provided on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified.

Off-site provision or a financial contribution may be acceptable in certain other circumstances at the Council's discretion. Off-site provision will be accepted only if developers are able to deliver the affordable housing on a suitable site elsewhere.

The financial contribution should be at least broadly equivalent to the cost of re-providing the land for affordable housing on another site.

27. Section 106 agreements

The Council will secure affordable housing requirements through a legal agreement or unilateral undertaking.

The heads of terms of the Section 106 agreement should be considered at the pre-application stage and the agreement must be completed before planning permission is issued.

The Council has produced a draft S106 model agreement, which includes standard clauses to secure affordable housing. However, each agreement will be drawn up on a case by case basis. With some types of affordable housing, a bespoke agreement based on the model agreement will be needed.

PART 6: OTHER CONSIDERATIONS

28. Funding, registered providers and CIL relief

Funding

Homes England provides grant funding to support the capital costs of developing affordable housing for rent or sale in certain circumstances.

Registered providers and partnership working

The Council works with registered providers and the private sector to maximise affordable housing development in Dacorum. Registered providers are best placed to manage most affordable housing developments.

Developers should have a registered provider on board early in the development process.

Community Infrastructure Levy relief

The Community Infrastructure Levy (CIL) liability may be reduced for developments containing social rented housing that meets the criteria in the CIL regulations.

29. Monitoring and review

The Council will monitor and keep under review this Affordable Housing SPD, to ensure the delivery of affordable homes.

Information on the delivery of affordable housing is reported annually in the Authority Monitoring Report.

If necessary this SPD will be updated, but it will be replaced by a new SPD when the Council adopts the new Local Plan.

PART 1: INTRODUCTION AND POLICY CONTEXT



Rent to buy housing at Two Waters Road, Hemel Hempstead

1. INTRODUCTION

Key guidance

The Interim Affordable Housing Supplementary Planning Document (SPD) supplements the Council's planning policies on affordable housing. These policies can be found in the following documents, which form part of the Dacorum Local Plan:

- Core Strategy
- Site Allocations Development Plan Document

Core Strategy Policy CS19 (the main affordable housing policy) sets a target for 35% of new homes on qualifying sites to be affordable homes. The Site Allocations document requires 40% affordable housing on six key sites called 'local allocations'.

The Council will use the SPD when deciding planning applications for housing development.

The SPD reflects changed Government guidance, clarifies the operation of our policies and seeks to ensure that rented affordable housing is genuinely affordable.

What is affordable housing

- 1.1 Homes England's Fact Sheet 9 'What is affordable housing' provides a clear and concise introduction to affordable housing:

<https://www.gov.uk/government/publications/new-homes-fact-sheet-9-what-is-affordable-housing/fact-sheet-9-what-is-affordable-housing>

- 1.2 This fact sheet provides an overview of the types of affordable housing in England, why these homes are needed and who might live in an affordable home.

Purpose of this supplementary planning document

- 1.3 The Interim Affordable Housing Supplementary Planning Document (SPD) supplements the Council's planning policies on affordable housing. These policies are found in the following documents, which form part of the Dacorum Local Plan:

- Core Strategy (adopted September 2013)
- Site Allocations Development Plan Document (adopted July 2017)

- 1.4 Core Strategy Policy CS19 is the main planning policy on affordable housing. It sets a target for 35% of new homes on qualifying sites to be affordable homes. The Site Allocations document requires 40% affordable housing on six key sites called 'local allocations'. Section 3 below gives more information on our affordable housing policies. It also indicates which policies are supplemented by the guidance in this SPD.

- 1.5 Paragraph 14.28 in the Core Strategy states that an Affordable Housing Supplementary Planning Document (SPD) will provide a broad indication of priorities and will be used to guide decisions on the housing mix. Individual cases will be affected by the mix of affordable housing needed, as well as site and design considerations. Paragraph 14.38 adds that detailed guidance on viability, commuted payments, eligibility criteria for the

occupation of affordable housing and other matters will be provided in supplementary guidance and advice.

- 1.6 This SPD is a material planning consideration, which the Council will take into account when deciding planning applications for housing development. Following the adoption of this SPD, the Council must take account of any relevant new Government guidance that is issued. Any such guidance may take precedence over some aspects of the SPD.
- 1.7 The SPD takes account of changed Government guidance on affordable housing and provides additional guidance on certain matters to clarify the operation of our policies. In addition, the Council wishes to ensure that rented affordable is genuinely affordable for households in need of such housing.
- 1.8 The title of this document includes the word 'Interim', because the SPD will remain operational only until the Council adopts its new Local Plan. At that time the Council will also adopt an updated Affordable Housing SPD, to supplement the new Local Plan's affordable housing policies.
- 1.9 Appendix 1 gives the web links to documents referred to in this SPD, whilst technical terms used in the document are defined in Appendix 2 (Glossary).
- 1.10 This SPD has replaced the Council's previous supplementary guidance on affordable housing in the:
- Affordable Housing Supplementary Planning Document (September 2013)
 - Affordable Housing SPD - Clarification Note (revised March 2022)

Structure of SPD

- 1.11 There are six parts to this SPD:

Part 1 (Introduction and policy context): apart from the introduction, Part 1 contains sections on the national planning policy context, the Dacorum planning policy context, other published Council documents and neighbourhood plans in Dacorum.

Part 2 (Affordable housing qualifying sites and overall affordable housing percentage): provides guidance on which developments should provide affordable housing and the overall percentage of housing that should be affordable.

Part 3 (Different affordable housing tenures): provides an overview of the different types of affordable housing and guidance on the percentage split between the different types. It then looks at the main types of affordable housing, such as social rent, affordable rent, First Homes and shared ownership. It also covers affordable housing on schemes for older people and exception sites.

Part 4 (Affordable housing mix, design and layout): matters addressed are housing size mix for affordable housing, design quality, distribution of affordable housing, accessible and adaptable housing, and sustainable homes.

Part 5 (Considering planning applications): deals with submitting a planning application, vacant building credit, viability, registered providers, off-site affordable housing provision or financial contribution, and Section 106 agreements.

Part 6 (Other considerations): covers funding, registered providers, community infrastructure levy relief, and monitoring and review.

Further information

- 1.12 Further information on affordable housing can be obtained from the relevant Council team, as indicated below, or by phoning the Council on 01442 228000:

Table 1.1: Further information on affordable housing

Team	Issues relating to	Email
Strategic Housing, Investment & Regeneration	Tenure mix and housing need information	housing.strategy&investment@dacorum.gov.uk
Housing Development	Delivery of affordable housing schemes	newhomes@dacorum.gov.uk
Development Management	Planning applications involving affordable housing	planning@dacorum.gov.uk
Strategic Planning	Planning policy on affordable housing	strategicplanning@dacorum.gov.uk
Infrastructure	Monitoring and implementation of approved S106 agreements involving affordable housing	S106@dacorum.gov.uk

2. NATIONAL PLANNING POLICY CONTEXT

Key guidance

The Council must take account of Government guidance on affordable housing and any future changes to it. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF's guidance on affordable housing includes the following:

- Affordable housing should be sought only on major housing developments (see section 6 below), except in designated rural areas such as Areas of Outstanding Natural Beauty.
- On major housing developments, at least 10% of homes should be available for affordable home ownership, subject to certain provisos and exemptions.

The Government's Planning Practice Guidance Notes (PPGs) provide additional, more detailed guidance to supplement the NPPF. Some PPGs contain guidance on affordable housing. For example, First Homes should account for at least 25% of all affordable housing units.

Government guidance also allows for exception sites, to meet local affordable housing need on sites where housing development is not normally permitted.

- 2.1 The Council must take account of Government guidance on affordable housing and any future changes to it. Web links to the documents referred to in this section are provided in Appendix 1.

National Planning Policy Framework

- 2.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF was last revised in December 2023.

- 2.3 Paragraphs 60-66 in the NPPF provide the main guidance on meeting housing need, including affordable housing. Key points to note are that:

- The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies, including those who require affordable housing (paragraph 63).
- Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required (applying the definition in Annex 2 to the Framework) and expect it to be met on-site, subject to certain provisos (paragraph 64).
- Provision of affordable housing should not be sought for residential developments that are not major developments (see section 6 below), other than in designated rural areas where policies may set out a lower threshold of 5 units or fewer (paragraph 65).
- Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the

identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
- c) is proposed to be developed by people who wish to build or commission their own homes; or
- d) is exclusively for affordable housing, a community-led development exception site or a rural exception site (paragraph 66).

2.4 Also relevant are paragraph 82 on rural exception sites that will provide affordable housing to meet identified local needs and paragraph 73 on community-led development. Exception sites are unallocated sites where housing development is not normally permitted.

2.5 The definition of 'affordable housing' in NPPF Annex 2 is set out in full in Appendix 2 to this SPD. Appendix 2 also includes the NPPF definition of the following terms:

- Build to rent
- Community-led development
- Rural exception sites

Planning Practice Guidance

2.6 The Government's Planning Practice Guidance Notes (PPGs) provide additional, more detailed guidance to supplement the NPPF. The following PPGs include guidance relating to the provision of affordable housing:

- Build to rent
- Community Infrastructure Levy
- First Homes
- Housing and Economic needs assessment
- Housing needs of different groups
- Housing for older and disabled people
- Planning obligations
- Viability

2.7 For example, the First Homes PPG states that First Homes should account for at least 25% of all affordable housing units delivered by developers through planning obligations. This PPG also gives guidance on First Homes exception sites. Appendix 2 includes definitions of 'First Homes' and 'First Homes exception site'.

Other relevant Government guidance

2.8 The Council will also take account of any other relevant Government guidance regarding planning for affordable housing, including:

- The 'New Model for Shared Ownership: technical consultation' (April 2021).
- The ministerial statement on First Homes (May 2021), which accompanied the First Homes PPG.

3. DACORUM PLANNING POLICY CONTEXT

Key guidance

The Council’s adopted planning policies on affordable housing are summarised below. This SPD supplements these policies:

Policy	Key points
Core Strategy Policy CS18 (mix of housing)	<ul style="list-style-type: none"> • Provide a choice of homes, including affordable housing.
Core Strategy Policy CS19 (affordable housing)	<ul style="list-style-type: none"> • Requires 35% affordable housing. • At least 75% of affordable homes should be for rent. • 100% affordable housing on rural sites.
Core Strategy Policy CS20 (rural sites for affordable homes)	<ul style="list-style-type: none"> • Encourages small-scale schemes for local affordable homes at selected small villages.
Site Allocations Policies LA1-LA6 (one policy for each local allocation)	<ul style="list-style-type: none"> • 40% affordable housing required on six key sites called local allocations.

The Council is preparing a new Local Plan, but we are continuing to work to the adopted affordable housing policies when considering planning applications for housing development.

Recent local evidence shows there is still a great need for affordable housing in Dacorum.

Adopted policies on affordable housing

3.1 The Council’s adopted planning policies on affordable housing are contained in the following documents which, together with the saved policies of the Dacorum Borough Local Plan 1991-2011 (adopted April 2004), make up the Dacorum Local Plan:

- Core Strategy (adopted September 2013)
- Site Allocations Development Plan Document (adopted July 2017)

3.2 Web links to these documents are provided in Appendix 1 and the full wording of the policies on affordable housing can be found in Appendix 3.

(i) Core Strategy policies

3.3 Two policies in the Core Strategy deal specifically with affordable housing:

- Policy CS19 (affordable housing)
- Policy CS20 (rural sites for affordable homes)

3.4 In addition, Policy CS18 (mix of housing) states that new housing development will provide a choice of homes, including affordable housing in accordance with Policy CS19.

3.5 Policy CS19 is the Council’s main policy on affordable housing. Key points to note are that this policy:

- Sets the site size thresholds for requiring affordable housing (note: we are not using these thresholds, as explained in section 6).
- Requires 35% of new homes on qualifying sites to be affordable homes. Higher levels may be sought on sites specified in a development plan document. On rural housing sites, all new homes will normally be affordable.
- Requires that at least 75% of the affordable homes are for rent.
- States that judgements about the level, mix and tenure of affordable homes will have regard to points (a)-(d) in the policy.

3.6 Policy CS20 states that small-scale schemes for local affordable homes will be promoted in and adjoining selected small villages in the countryside (see Policies CS6 and CS7), and exceptionally elsewhere with the support of the local parish council. The selected small villages are listed below and Figure 1 overleaf shows their location:

Policy CS6 (selected small villages in the Green Belt)	Chipperfield Flamstead Potten End Wigginton
Policy CS7 (rural area)	Aldbury Long Marston Wilstone

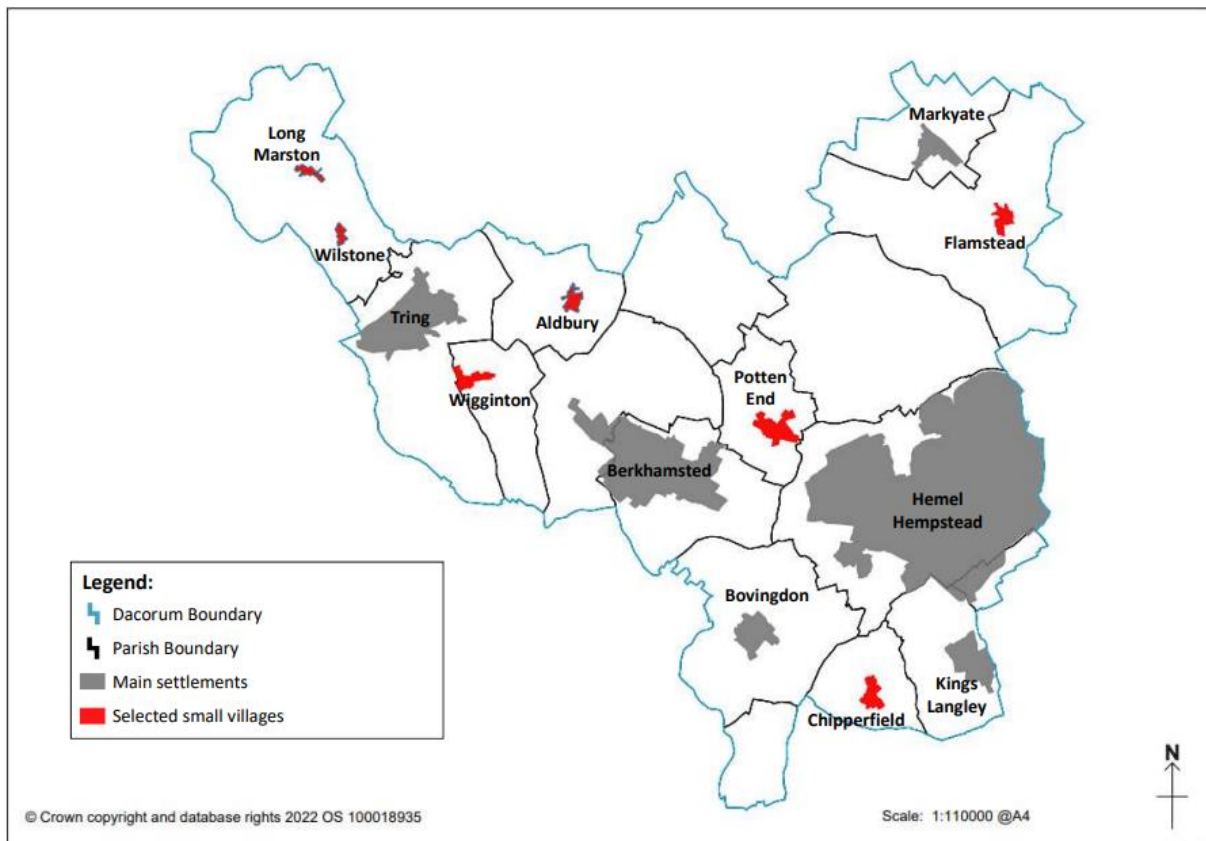
3.7 Core Strategy Policy CS6 states that certain types of development will be permitted in the selected small villages in the Green Belt, including affordable housing in accordance with Policy CS19. However, the Clarification Note explains that infilling schemes in the selected small villages are no longer limited to affordable housing. This is because Government guidance in the NPPF now classifies limited infilling in villages as appropriate development in the Green Belt (paragraph 154) and the site size thresholds for requiring affordable housing have changed (paragraph 65).

(ii) Site Allocations policies

3.8 Site Allocations Policies LA1-LA6 require 40% affordable housing on the following sites called local allocations:

- LA1: Marchmont Farm, Hemel Hempstead
- LA2: Old Town, Hemel Hempstead
- LA3: West Hemel Hempstead
- LA4: Hanburys, Shootersway, Berkhamsted
- LA5: Icknield Way, West of Tring
- LA6: Chesham Road and Molyneaux Avenue, Bovingdon

Figure 1: Selected villages with potential for rural sites for affordable homes



Which policies does this SPD supplement?

- 3.9 Given paragraphs 3.1-3.8 above, this SPD supplements the following adopted planning policies:
- Core Strategy Policy CS18 (mix of housing)
 - Core Strategy Policy CS19 (affordable housing)
 - Core Strategy Policy CS20 (rural sites for affordable homes)
 - Site Allocations Policies LA1-LA6, on the sites listed in paragraph 3.8
- 3.10 This SPD does not supplement the following policies for housing development, as these policies make no reference to affordable housing:
- Core Strategy Policy CS22 (new accommodation for Gypsies and Travellers)
 - Saved 2004 Local Plan Policy 84 (residential moorings)

New Local Plan

- 3.11 The Council is preparing a new single Local Plan for Dacorum. Once adopted, the new Plan will replace the existing documents referred to in paragraph 3.1.
- 3.12 In November 2020, the Council published the Local Plan Emerging Strategy for Growth (2020-2038) consultation document. It included proposed new policies on affordable housing. However, the new Local Plan is still at an early stage, so the Council is still working to the adopted affordable housing policies when considering planning applications for new housing.

3.13 A further consultation, on the Local Plan Revised Strategy for Growth (2024-2040), took place from October to December 2023. This consultation was only about proposed housing sites. It did not contain any draft planning policies.

3.14 The timetable for the new Local Plan is set out in the Local Development Scheme:

https://www.dacorum.gov.uk/docs/default-source/strategic-planning/local-development-schemea449724551156b7f9bc7ff00000246a4.pdf?sfvrsn=315c199e_2

Evidence base for planning policies on affordable housing

3.15 When the Core Strategy was prepared, evidence (in the South West Hertfordshire Strategic Housing Market Assessment 2010, the updated Housing Market Needs Assessment 2012 and earlier Council studies) showed a high affordable housing need in the Borough.

3.16 More recent evidence is provided by the South West Hertfordshire Local Housing Needs Assessment (September 2020). Chapter 5 in this document showed that there remains a very substantial need for affordable housing in Dacorum. The Local Housing Needs Assessment is currently being reviewed and its updated evidence and recommendations will inform the finalised version of this SPD. Other up-to-date evidence appears in some of the Council's own documents (see section 4).

3.17 The Council takes account of such evidence on the need for affordable housing. Justification for this approach comes from Policy CS19, which states that judgements about the level, mix and tenure of affordable homes will have regard to the Council's Housing Strategy, identified housing need and other relevant evidence.

4. OTHER RELEVANT COUNCIL DOCUMENTS

Key guidance

The Council has published some other documents relevant to affordable housing in Dacorum:

- Delivering for Dacorum: Corporate Plan 2020-2025
- Shaping the future of Dacorum: Our Growth and Infrastructure Strategy to 2050
- Homes for the Future: Housing Strategy 2019-2021 (new strategy due 2024)
- Housing Allocations Policy
- Tenancy Strategy

The Council is also preparing a 'Local Connection Policy for Other Affordable Housing'.

- 4.1 Apart from the planning policy documents referred to in section 3, the Council has published or is preparing some other corporate or housing documents relevant to affordable housing in Dacorum, as stated below. Web links to the published documents are given in Appendix 1.
- 4.2 **Delivering for Dacorum: Corporate Plan 2020-2025.** One of the Council's five key priorities is "Providing good quality affordable homes, in particular for those most in need". Proposed action on this priority includes:
- Building over 400 new Council homes and supporting Housing Associations where viable.
 - Supporting residents to access good quality and affordable homes in the private rented sector.
- 4.3 **Shaping the future of Dacorum – Our Growth and Infrastructure Strategy to 2050.** A key theme is "Building Dacorum's future with homes for everyone". The provision of good quality homes across the public and private sectors that meets the community's needs is supported. There is also a strong commitment to delivering affordable housing and new Council homes.
- 4.4 **Homes for the Future: Housing Strategy 2019-2021.** This strategy focuses on how the Council can influence the housing options for people across the Borough. It provides a positive, clear vision for ensuring quality, safe and affordable homes. The outcome based commitments include: "We work in partnership to meet the demand for quality, affordable housing in Dacorum".
- 4.5 A revised strategy (Housing Strategy 2024-2029) is expected to be approved in spring 2024. It has been informed by affordability modelling and the new Local Plan's evidence base, and is aligned with the Tenancy Strategy and other key documents.
- 4.6 **Housing Allocations Policy (September 2023).** This document sets out how the Council prioritises applications for social rented and affordable rented housing provided by the Council and housing associations, based on people's circumstances and level of housing need (see Appendix 5 for further information).
- 4.7 **Tenancy Strategy (May 2019).** This strategy outlines:
- Different types of tenancies and our approach to granting and reviewing them.

- The approach to social and affordable rents in Dacorum.
- Our approach to working with local housing associations to make sure that all the Borough's residents have access to affordable, safe housing.

4.8 A review of the Tenancy Strategy will commence shortly.

4.9 **Proposed Local Connection Policy for Other Affordable Housing.** The Council wishes to ensure that, where possible, affordable housing is prioritised for people with a local connection to the Borough. Therefore, we are preparing a 'Local Connection Policy for Other Affordable Housing'. The policy will apply to properties that are not allocated via the Housing Register. This includes affordable home ownership products such as First Homes and shared ownership, and rented tenures including affordable private rent (see Appendix 5).

4.10 The finalised version of this SPD will take account of the approved Local Connection Policy, if available in time.

5. NEIGHBOURHOOD PLANS IN DACORUM

Key guidance

In Dacorum, there are two 'made' (i.e. adopted) neighbourhood plans and three being prepared:

- **Grovehill, Hemel Hempstead.** The made Grovehill Future Neighbourhood Plan supports the provision of a mix of housing tenures and types.
- **Kings Langley.** The made neighbourhood plan contains guidance on meeting local housing needs.
- **Bovingdon.** The submitted neighbourhood plan includes an affordable housing policy.
- **Great Gaddesden and Berkhamsted.** Evidence gathering and engagement with the local communities to inform the neighbourhood plans has started.

Background information

- 5.1 Paragraph 20 in the National Planning Policy Framework states that strategic policies should make sufficient provision for housing development, including affordable housing. Paragraphs 28-30 indicate that neighbourhood plans can contain non-strategic policies, but should not undermine strategic policies. A footnote adds that "Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area."
- 5.2 More detailed guidance is provided by paragraphs 074-077 of the Planning Practice Guidance (PPG) on 'Neighbourhood planning'.
- 5.3 Paragraph 017 in the PPG on 'First Homes' states that neighbourhood plans can include policies on and identify sites for First Homes. Depending on the local plan's strategic policies, neighbourhood plans may be able to vary the types of affordable housing required, or allocate additional sites for affordable housing. Neighbourhood plans can also develop policies that use the flexibilities allowed by the PPG (section 13 below gives further guidance on First Homes).

Neighbourhood Plans in Dacorum

- 5.4 Dacorum has two 'made' (i.e. adopted) neighbourhood plans and three being prepared (see below). Web links to the published documents are included in Appendix 1. Further details on neighbourhood planning in the Borough can be found at:

<http://www.dacorum.gov.uk/home/regeneration/neighbourhood-planning>

- 5.5 **Grovehill, Hemel Hempstead.** The Grovehill Future Neighbourhood Plan (2016-2031) was produced by 'Grovehill Future', which involved members of the local community, businesses and Ward Councillors. The Plan contains no policy references to affordable housing, although Policy 3 (housing) states that "Where new homes are provided, the provision of a mix of tenures and types will be supported."
- 5.6 **Kings Langley.** The neighbourhood plan, produced by Kings Langley Parish Council, was made in January 2023. The Plan area covers all of Kings Langley parish.

- 5.7 Policy KL2 (meeting local housing needs) mentions affordable housing. This policy states that, subject to certain provisos, housing development should provide a mix of housing sizes, types, tenures, and affordability that assists in meeting needs identified in the most recently available Kings Langley Local Housing Needs Assessment. Proposals which seek to deliver a higher proportion of one and two-bedroom homes (both open market and affordable) to that set out in the most recent Local Housing Needs Assessment for Dacorum will be particularly supported.
- 5.8 **Bovingdon.** A steering group of local residents reporting to Bovingdon Parish Council is preparing a neighbourhood plan covering the whole parish. The Submission Version of the Plan (July 2023) will be considered by an independent examiner. Policy BOV H1 (affordable housing) expresses a preference for schemes that provide genuinely affordable homes that meet the need for affordable housing in Bovingdon. First Homes will make up 25% of affordable homes, whilst the recommended mix for rented affordable homes is 60% social rent/40% affordable rent. Schemes should provide a mix of house sizes, including extra care schemes, that support housing need in Bovingdon.
- 5.9 **Great Gaddesden.** Great Gaddesden Parish Council formally submitted a Neighbourhood Area designation letter and map to the Borough Council in February 2023. The designation was confirmed in March 2023. The parish council has started gathering evidence and engaging with the local community to help guide the draft policies that will form the neighbourhood plan.
- 5.10 **Berkhamsted.** Berkhamsted Town Council formally submitted a Neighbourhood Area designation letter and map to the Council in August 2023. The designation was confirmed in November 2023. The town council has started gathering evidence and engaging with the local community to help guide the draft policies that will form the neighbourhood plan.

PART 2: QUALIFYING SITES AND OVERALL AFFORDABLE HOUSING PERCENTAGE



Social rented housing at Bingham Mews, Gaddesden Row

6. WHICH DEVELOPMENTS SHOULD PROVIDE AFFORDABLE HOUSING?

Key guidance

An element of affordable housing will be required on:

- Major developments throughout Dacorum (i.e. sites for 10 or more homes; or with a site area of 0.5 hectares or more).
- Sites for 6-9 homes in the Chilterns Area of Outstanding Natural Beauty.

The thresholds apply to the gross number of homes proposed, unless vacant building credit applies.

The affordable housing should be provided on-site, unless off-site provision or a financial contribution is justified in terms of section 26.

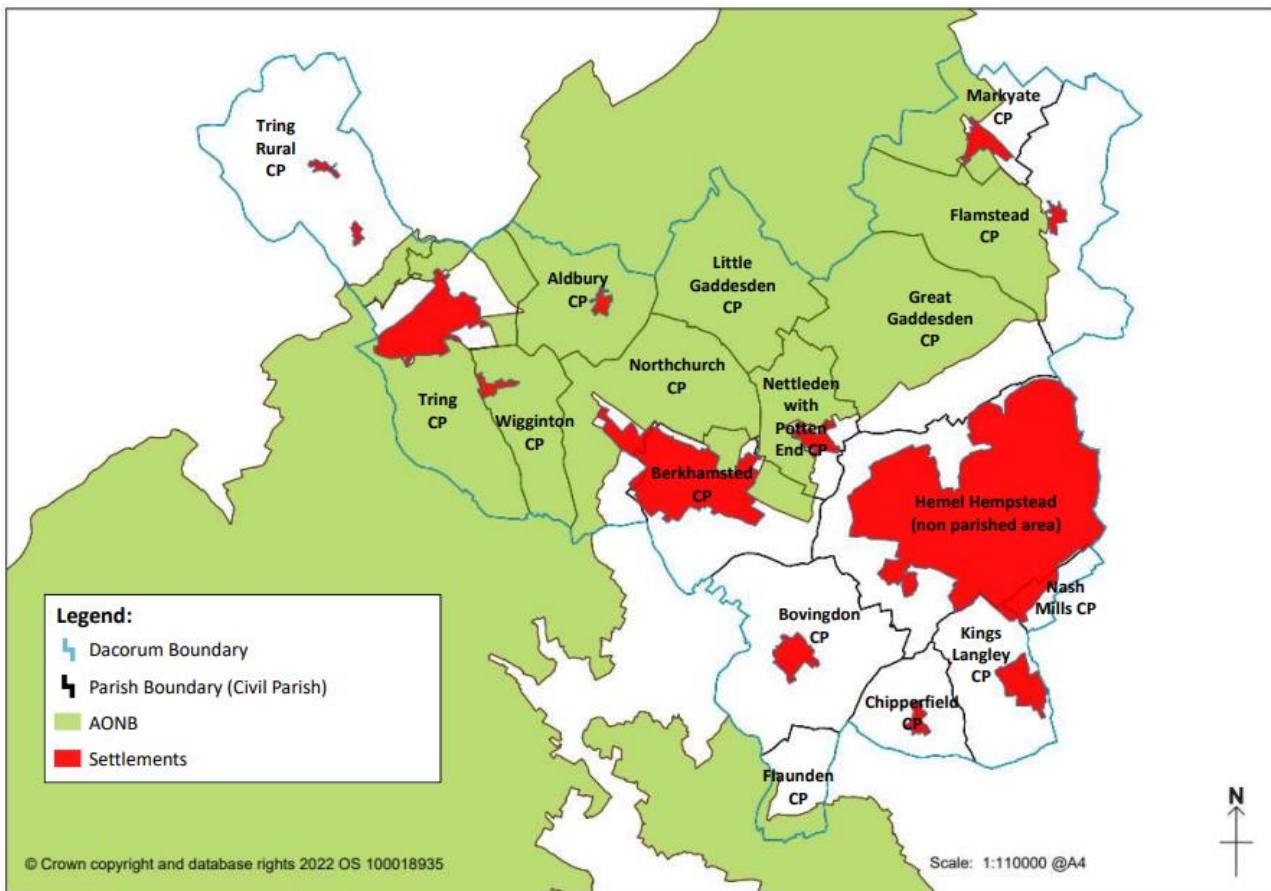
Background information

- 6.1 Dacorum Core Strategy Policy CS19 states that affordable homes will be provided:
- on sites of a minimum size 0.3ha or 10 dwellings (and larger) in Hemel Hempstead; and
 - elsewhere, on sites of a minimum size of 0.16ha or 5 dwellings (and larger).
- 6.2 However, the thresholds in Policy CS19 have been superseded by Government guidance in the National Planning Policy Framework (NPPF). Paragraph 65 in the NPPF states that:
- “Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).”
- 6.3 The definitions of ‘major development’ in NPPF Annex 2 and the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) differ in certain respects (see Appendix 2 for the DMPO definition).
- 6.4 In NPPF paragraph 65, the term ‘designated rural areas’ includes Areas of Outstanding Natural Beauty (AONBs). Figure 2 below shows the extent of the Chilterns AONB in Dacorum, settlements within the AONB and parish council boundaries. The ‘rural area’ covers all the AONB in Dacorum, which includes all or part of the following parishes:

Aldbury	Great Gaddesden	Northchurch
Berkhamsted	Little Gaddesden	Tring
Flamstead	Markyate	Tring Rural
Flaunden	Nettleden with Potten End	Wigginton

- 6.5 The AONB is illustrated by the green shaded area in Figure 2.

Figure 2: Chilterns AONB in Dacorum



The Council’s approach

- 6.6 The Council is using site size thresholds for requiring affordable housing based on the DMPO’s definition of ‘major development’, rather than the NPPF definition or the thresholds in Core Strategy Policy CS19. This is because the DMPO is more recent than the Core Strategy and has greater legal status than the NPPF or Core Strategy. However, the NPPF provides the basis for our threshold in the AONB.
- 6.7 In view of the above, an element of affordable housing will be required on:
 - Major developments throughout Dacorum (i.e. sites for 10 or more homes; or with a site area of 0.5 hectares or more and the number of homes is not known; or if the proposed floorspace is 1,000 sq. metres or more).
 - Sites for 6-9 homes in the Chilterns Area of Outstanding Natural Beauty.
- 6.8 The affordable housing should be provided on-site, unless off-site provision or a financial contribution is justified in terms of section 26.
- 6.9 It should also be noted that:
 - The thresholds apply to the gross number of homes proposed, unless vacant building credit applies (see section 24).
 - The Council will resist any attempt to circumvent the site size thresholds for affordable housing, for example by phasing development, by sub-dividing a larger site, or by

proposing too few homes in terms of the guidance in section 11 of the NPPF on making effective use of land.

- An element of affordable housing will be required on housing developments in Use Class C3 (dwelling houses) and extra care housing schemes in Class C2 (residential institutions) – see section 16.
- No affordable housing is required on prior approval schemes for changes of use from Use Class E (commercial, business and service) to housing. However, prior approval schemes cannot be submitted in the areas listed below, because the Council has withdrawn permitted development rights by Article 4 directions. Major planning applications for housing in these areas should include affordable housing. However, Hemel Hempstead town centre is the only Article 4 area where housing is normally permitted.

Town centre	Hemel Hempstead (part)
General employment areas	Maylands Business Park (part), Hemel Hempstead
	Doolittle Meadows, Hemel Hempstead
	Park Lane, Hemel Hempstead
	Northbridge Road and River Park, Berkhamsted
	Icknield Way, Tring

7. OVERALL AFFORDABLE HOUSING PERCENTAGE

Key guidance

On sites where affordable housing is required, the proportion of affordable housing should be as shown below:

Type of site	Affordable Housing Percentage
1. All, except those covered by rows 2 and 3 below	35%
2. Local allocations	40%
3. Exception sites	100%, subject to section 17

Schemes proposing a higher percentage of affordable housing will be welcomed.

The amount of affordable housing will be reduced or waived, only where fully justified.

Background information

- 7.1 This section provides guidance on the overall percentage of affordable housing required on sites where affordable housing should be provided. Section 9 then deals with the percentage split between different types on affordable housing.
- 7.2 Government guidance does not set a national percentage requirement for affordable housing, except for exception sites where 100% affordable housing should normally be provided (see section 17). However, broad guidance on meeting housing needs, including affordable housing, can be found in the National Planning Policy Framework (paragraphs 60-66), the Planning Practice Guidance (PPG) on 'Housing and Economic Needs Assessment' (paragraphs 018-024) and the PPG on 'Viability (paragraph 001).
- 7.3 Exception sites can provide affordable housing outside settlement boundaries, as exceptions to normal planning policy. Section 17 provides further information and explains Government guidance on whether such schemes can contain an element of open market housing.
- 7.4 Policy CS19 (affordable housing) in the Dacorum Core Strategy states that:
- “35% of the new dwellings should be affordable homes. Higher levels may be sought on sites which are specified by the Council in a development plan document, provided development would be viable and need is evident. On rural housing sites 100% of all new homes will normally be affordable (Policy CS20).”
- 7.5 In the Dacorum Site Allocations Development Plan Document, Policies LA1-LA6 require 40% affordable housing on six key greenfield sites called local allocations. These are the only planned sites where the affordable housing percentage required is higher than 35% (due to the high viability associated with these greenfield sites).

The Council's approach

- 7.6 On sites where affordable housing is required, the proportion of affordable housing should be based on the Core Strategy and the Site Allocations document, as indicated in the table below:

Table 7.1: Affordable housing percentages

Type of site	Affordable housing percentage	Justification
1. All, except those covered by rows 2-4 below	35%	Core Strategy Policy CS19
2. Local allocations	40%	Core Strategy Policy CS19, Site Allocations Policies SA8 and LA1-LA6
3. Exception sites	100%, subject to section 17	Core Strategy Policy CS20

- 7.7 If applying the above percentages results in a requirement for a fraction of an affordable home, the requirement should be rounded to the nearest whole number. The affordable housing number should be rounded up if the calculation produces a requirement for half a home.
- 7.8 The need for affordable housing in Dacorum is very high, as shown by chapter 5 of the South West Hertfordshire Local Housing Needs Assessment. Indeed, the Council's current affordable housing percentages fall well short of meeting the full need for affordable housing in Dacorum. However, possible changes to the percentages are a matter for the new Local Plan, not this SPD.
- 7.9 The Council will welcome planning applications that propose a higher percentage of affordable housing than required in Table 7.1, including schemes from registered providers for 100% affordable housing. However, we acknowledge that viability and other factors may result in less affordable housing being provided on some sites than shown in Table 7.1.
- 7.10 Given the above, the Council would like to discuss the tenure mix and the overall affordable housing percentage with developers at an early stage in the development process, before a decision is made on whether a viability assessment is needed (see section 25).
- 7.11 In addition, the affordable housing requirement will be reduced or waived in the following circumstances:
- If vacant building credit applies (see section 24).
 - If the affordable housing requirement would make a development unviable. In such cases, the Council will apply the requirements flexibly, if fully justified to our satisfaction through a viability assessment (see section 25).
 - On prior approval schemes for change of use from offices to housing, where no affordable housing is required (see paragraph 6.10, bullet point 4 above).

PART 3: DIFFERENT AFFORDABLE HOUSING TENURES



Recently completed Council homes on Coniston Road, Kings Langley

8. DIFFERENT AFFORDABLE HOUSING TENURES - OVERVIEW

Key guidance

Government guidance splits affordable housing into:

- Affordable housing for rent
- Affordable home ownership

The guidance also distinguishes between different types of affordable housing for rent and different types of affordable home ownership.

The main types of affordable housing likely to be provided in Dacorum are as follows:

Affordable housing for rent	<ul style="list-style-type: none">• Social rent• Affordable rent• Affordable private rent in build to rent schemes
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Affordable home ownership	<ul style="list-style-type: none"> • First Homes • Shared ownership • Rent to buy
Any proposals for other types of affordable home ownership will be treated on their merits.	

8.1 Government guidance (see section 2) splits affordable housing into:

- Affordable housing for rent
- Affordable home ownership

8.2 The guidance also distinguishes between different types of affordable housing for rent and different types of affordable home ownership.

8.3 Tables 8.1 and 8.2 show the main types of affordable housing that are likely to be provided in Dacorum. These tables also set out key points for each housing type, relating to Government guidance and the Council’s priorities:

Table 8.1: Different types of affordable housing for rent – key points

Type of housing	Key points
Affordable housing for rent - overall requirements	<ul style="list-style-type: none"> • Rents must accord with the Government’s policy for social rent or affordable rent, or be at least 20% below local market rents. • Landlords must be registered providers, unless the housing is part of a build to rent scheme. • The affordable housing must remain at an affordable price for future eligible households, or the subsidy must be recycled for alternative affordable housing provision.
Social rent	<ul style="list-style-type: none"> • The Council supports social rented housing, as it offers tenants a secure form of housing with lower rents than with affordable rented housing. • Rents vary depending on location and house type. Based on current evidence typical rents in Dacorum are equivalent to 39%-54% of lower quartile open market rents. • The Council has an active social rented new build programme and will encourage registered providers to build such housing, where possible.
Affordable rent	<ul style="list-style-type: none"> • Affordable rented housing is the main type of affordable housing for rent supplied by registered providers (mainly housing associations), apart from the Council. • The Council’s priority is that affordable rented housing is genuinely affordable, which requires rents at around 60% of median market values.

Affordable private rent in build to rent schemes	<ul style="list-style-type: none"> • The normal form of affordable housing in build to rent schemes is 'affordable private rent'. • Government guidance says 20% of homes on such schemes should generally be for affordable private rent, with rents at least 20% below local market rents. • As with other housing, the Council will require 35% affordable housing in build to rent schemes. • Affordable private rented homes should be genuinely affordable, so the approach for affordable rent (above) will also apply to affordable private rent.
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Table 8.2: Different types of affordable home ownership – key points

Type of housing	Key points
Affordable home ownership – overall requirements	<ul style="list-style-type: none"> • The National Planning Policy Framework (NPPF) states that 10% of all homes should be for affordable home ownership, except with build to rent homes, specialist accommodation (such as for the elderly), self and custom build homes, and community-led development and rural exception sites.
First Homes	<ul style="list-style-type: none"> • The Planning Practice Guidance on First Homes states that: <ul style="list-style-type: none"> - First Homes are the Government's preferred discounted market tenure and should account for at least 25% of all affordable homes. - First Homes must be discounted by a minimum of 30% against the market value, with this discount (as a percentage of current market value) passed on at each subsequent title transfer. - After the discount has been applied, the first sale must be at a price no higher than £250,000 (outside London). - Purchasers of First Homes (including future sales) should comply with the national standard criteria, including that they are first time buyers and have a household income not exceeding £80,000 (outside London). • The £250,000 price cap means that most First Homes in Dacorum are likely to be flats.
Shared ownership	<ul style="list-style-type: none"> • Shared ownership housing enables households to purchase a share in a home with a mortgage, whilst paying rent on the rest. Purchasers can buy additional shares when they can afford to do so. • Total monthly costs (mortgage payments and rent) should be lower than renting or purchasing a similar home on the open market.

	<ul style="list-style-type: none"> Shared ownership will still be an important type of affordable home ownership in Dacorum (despite the introduction of First Homes), in order to secure an appropriate broad mix of types of homes for affordable home ownership. Most shared ownership homes should be houses.
Rent to buy	<ul style="list-style-type: none"> Rent to buy housing is available initially for affordable rent, but can later be converted to outright ownership or shared ownership. The Council will support proposals, if rent levels are genuinely affordable based on the maximum rent per month considered to be affordable in Dacorum. There must also be an agreed length of tenancy, followed by an option to buy or rent again over an agreed period.

8.4 Section 9 below provides guidance on the percentage split between different types on affordable housing. More detailed guidance on different types of affordable housing can be found in the following sections in this SPD:

Section	Subject
9	Percentage split between different types of affordable housing
10	Social rent
11	Affordable rent
12	Affordable private rent in build to rent schemes
13	First Homes
14	Shared ownership
15	Rent to buy
16	Affordable housing on schemes for older people
17	Exception sites

8.5 The definition of 'affordable housing' in the NPPF (see Appendix 2 to this SPD) also identifies some other types of affordable home ownership:

- **Starter homes** (now in effect superseded by First Homes).
- **Discounted market sales housing.** Sold at a discount of at least 20% below local market value. Eligibility is based on local incomes and house prices.
- **Other affordable routes to home ownership** (for those who cannot achieve home ownership through the market), including relevant equity loans and other low cost homes for sale (at least 20% below local market value).

8.6 The Council envisages that few schemes for such types of affordable home ownership will be submitted in Dacorum. However, the Council will treat any proposals that are forthcoming on their merits. With schemes for discounted market sales housing, much of the guidance in section 13 on First Homes is relevant. Such homes should have a price discount of at least 30% against market value, as with First Homes.

9. PERCENTAGE SPLIT BETWEEN DIFFERENT TYPES OF AFFORDABLE HOUSING

Key guidance

The Core Strategy states that a minimum of 75% of the affordable housing units provided should be for rent.

The Council must also take account of Government guidance introduced since the Core Strategy was adopted that:

- At least 10% of homes on sites where affordable housing is required should be available for affordable home ownership (subject to certain exemptions).
- At least 25% of the affordable homes should be First Homes. The remainder of the affordable housing tenures should reflect the proportions in the local plan policy.

This results in the following percentage split:

Affordable housing for rent	At least 56%
Affordable home ownership	No more than 44%

In order to secure an appropriate broad mix of types of homes for affordable home ownership, the Council favours the following percentage split between First Homes and other types of affordable home ownership, whilst recognising that it may not be possible to deliver shared ownership housing in flats:

Affordable home ownership (total)	No more than 44%
First Homes	25%
Other types of affordable home ownership, usually shared ownership and/or rent to buy	Up to 19%

Background information

9.1 Section 7 provides guidance on the overall percentage of affordable housing required on sites where affordable housing should be provided. Section 9 moves onto considering the percentage split between different types on affordable housing.

9.2 Dacorum Core Strategy Policy CS19 (affordable housing) states that:

“A minimum of 75% of the affordable housing units provided should be for rent.”

The policy adds that judgements about the level, mix and tenure of affordable homes will have regard to points (a)-(d) in the policy, which cover various matters including the Council’s Housing Strategy, identified housing need and the overall viability of the scheme.

9.3 The Council must also take account of Government guidance. In particular:

- National Planning Policy Framework (NPPF), paragraph 66: on sites where affordable housing is required, at least 10% of the total number of homes should be available for affordable home ownership (subject to certain exemptions – see paragraph 2.3 above).
- Planning Practice Guidance (PPG) on ‘First Homes’, paragraph 001: First Homes should account for at least 25% of all affordable housing units delivered by developers through planning obligations.

9.4 In addition, the ‘First Homes’ PPG states that:

- A policy compliant planning application should seek to capture the same amount of value as would be captured under the local authority’s up-to-date published policy (paragraph 014).
- Once a minimum of 25% of First Homes has been accounted for, social rent should be delivered in the same percentage as set out in the local plan. The remainder of the affordable housing tenures should be delivered in line with the proportions set out in the local plan policy (paragraph 015).

9.5 Policy CS19 does not mention social rent. It simply requires that at least 75% of the affordable housing should be for rent. This implies that the rest of the affordable housing should be for affordable home ownership.

The Council’s approach

9.6 Taking account of paragraphs 001 and 015 in the PPG and Policy CS19, this results in the following split between affordable housing for rent and affordable home ownership:

Affordable housing for rent	At least 56%
Affordable home ownership	No more than 44%

9.7 Table 9.1 shows how this split is calculated:

Table 9.1: Percentage split between affordable housing for rent and affordable home ownership

Type of affordable housing	% of total affordable housing
1. First Homes	25
2. Remainder of affordable housing	75
The other 75% of the affordable housing should reflect Policy CS19, which states that 75% of the affordable housing should be for rent.	
This gives the following split:	
Affordable housing for rent (75% of 75%)	56
Affordable home ownership (25% of 75%)	19
Total affordable home ownership (25% + 19%)	44

- 9.8 As stated in Table 8.2, the price cap of £250,000 for First Homes means that most First Homes in Dacorum will probably be flats. However, the South West Hertfordshire Local Housing Needs Assessment (LHNA) recommended a broad mix of house sizes for affordable home ownership, including 35% of homes having three or more bedrooms (see section 18).
- 9.9 Paragraph 14.11 states that shared ownership generally works best with 2 and 3-bedroom houses, but there can be difficulties in obtaining shared ownership housing in leasehold flats.
- 9.10 Therefore, in order to secure an appropriate broad mix of types of homes for affordable home ownership, 25% (but no more) of the affordable housing should be First Homes (unless the scheme is exempt from providing First Homes – see paragraphs 13.5 and 13.6). The rest of the affordable home ownership properties should be shared ownership housing and/or rent to buy, unless otherwise agreed with the Council. For example, we recognise that it may not be possible to deliver shared ownership housing in flats:

Table 9.2: Preferred percentage split between different types of affordable home ownership

Housing type	Proportion of affordable housing
Affordable home ownership (total)	No more than 44%
First Homes	25% (but no more)
Other types of affordable home ownership, usually shared ownership and/or rent to buy	Up to 19%

- 9.11 There may be instances where the Council would consider an alternative tenure split. Examples could include schemes proposing:
- **Few or no flats:** such schemes will probably deliver few, if any, First Homes due to the £250,000 price cap (see paragraphs 13.8 and 14.11). If so, the affordable housing tenure split will be as per Policy CS19, subject to the NPPF's requirement for 10% of the total homes to be available for affordable home ownership (see paragraphs 9.2 and 9.3 above).
 - **A higher than normal affordable housing percentage** (i.e. a higher percentage of affordable housing than required by the Council's adopted planning policies - see Table 7.1). These schemes and the tenure mix proposed will be considered on their merits.

10. SOCIAL RENTED HOUSING

Key guidance

Social rented homes are generally owned by local authorities or registered providers. Rents are usually lower than for affordable rented homes.

The Core Strategy states that a minimum of 75% of the affordable housing should be for rent, but gives no guidance on the type of rented affordable housing to be provided.

The Council supports social rented housing, as can be seen by its own new build council house programme. We will encourage registered providers to build social rented housing where possible.

Background information

- 10.1 The definition of 'affordable housing for rent' in the National Planning Policy Framework (NPPF) requires social rented housing to meet certain conditions (see Appendix 2). The rent is set in accordance with the Government's rent policy for Social Rent and landlords must be registered providers. Also, the affordable housing must remain affordable for future eligible households, or the subsidy recycled for alternative affordable housing provision.
- 10.2 Social rented homes are generally owned by local authorities or registered providers of affordable housing. Not all providers have business models that include social rented housing.
- 10.3 Social rent is set in accordance with the Government's target rents guidelines through the national rent regime. Social rents are explained in Section 80 of the Housing and Regeneration Act (2008) and are usually lower than for affordable rented homes. New build social rented homes must be made available at formula rents. Rents can be 5% higher than formula rents for general needs housing and 10% higher for sheltered schemes.
- 10.4 Dacorum Core Strategy Policy CS19 (affordable housing) states that a minimum of 75% of the affordable housing should be for rent, but gives no guidance on what type of rented affordable housing should be provided (see paragraph 9.5).

The Council's approach

- 10.5 The Council supports social rented housing, as it offers tenants a secure form of housing with lower rents than with affordable rented housing. Although the rent will vary depending on location and house type, based on current evidence typical rents are equivalent to 39%-54% of lower quartile open market rents (see Figure 2 in Appendix 4). The rents are as low as 21% of market rents for some existing social rented properties in Dacorum.
- 10.6 Social rented housing is currently being built in the Borough by the Council, through its own new build housing programme.
- 10.7 The Council will encourage registered providers to build social rented housing where possible. This would normally require grant funding (see Appendix 5). It is uncertain how much, if any, social rented housing will be built by registered providers. Therefore, this SPD does not contain a proposed split between social rented housing and affordable rented housing.

10.8 Social rented housing will be allocated to people on the Council's Housing Register and will be based on our Housing Allocations Policy (see Appendix 5).

11. AFFORDABLE RENTED HOUSING

Key guidance

Government guidance requires affordable rented housing to be at least 20% cheaper than local market rates and for landlords to be registered providers. Rents can be considerably higher than for social rented housing.

The Core Strategy states that a minimum of 75% of the affordable housing should be for rent, but gives no guidance on what type of rented affordable housing should be provided.

The Council's priority is to ensure that affordable rented housing is genuinely affordable. Therefore, our starting point will be that rents for affordable rented housing should be 60% of median market values (including service charges), subject to viability. Such housing is called 'Dacorum Affordable Rent'.

Rents should remain at around 60% of median market rents during the lifetime of this SPD, unless convincing evidence is brought forward to justify higher rents.

Background information

- 11.1 The definition of 'affordable housing for rent' in the National Planning Policy Framework (NPPF) requires affordable rented housing to meet certain conditions (see Appendix 2). Rents must be at least 20% cheaper than local market rates and landlords must be registered providers. Also, the affordable housing must remain affordable for future eligible households, or the subsidy recycled for alternative affordable housing provision. Rents can be considerably higher than for social rented housing.
- 11.2 Dacorum Core Strategy Policy CS19 (affordable housing) states that a minimum of 75% of the affordable housing should be for rent. However, the policy gives no guidance on what type of rented affordable housing should be provided (see paragraph 9.5 above), or on the cost of affordable housing.
- 11.3 Paragraphs 5.107-5.120 in the South West Hertfordshire Local Housing Needs Assessment (LHNA) show that rents for affordable rented homes at 80% of lower quartile open market values are affordable to only 13% of households in Dacorum who need such housing. However, many households on benefits can afford these rents, if the full rent is covered by Housing Benefit.
- 11.4 Paragraphs 5.166-5.179 in the LHNA provide advice on the cost of affordable housing to rent, excluding social rent which is set nationally. The LHNA states that the Local Housing Allowance limits for the six Broad Rental Market Areas covering South West Hertfordshire should be a key consideration when setting rent levels for affordable rented properties. However, the LHNA adds that this would potentially require low income working families to claim housing benefit to be able to afford their rent. The analysis also considers 'Living Rents', but such rents would affect the viability of affordable housing delivery. The LHNA concludes that local authorities should balance the quantum of affordable housing to be delivered and the rent levels to be charged.
- 11.5 Paragraphs 5.195-5.199 in the LHNA consider the cost of housing versus incomes, with local authority level analysis provided in Appendix B. A key point is that people on 35% of lower quartile wages in Dacorum can afford only 1-bedroom affordable rented housing (see Figure 27 in Appendix B). However, the Council does not regard this as generally appropriate in Dacorum as it would not deliver genuinely affordable housing. This is particularly so in the South West

Herts Broad Rental Market Area (which covers most of the Borough), where the Local Housing Allowance is over 80% of open market value.

- 11.6 Justin Gardner Consulting produced a paper in May 2022 on 'Affordable rents in Dacorum' (see Appendix 4). It advises that providing affordable rents at 60% of market values (including service charges) would be a sensible start point for affordable rented housing, subject to the viability of delivering housing at these costs.

The Council's approach

- 11.7 The Council's priority is to ensure that affordable housing for rent is genuinely affordable to those in housing need, so we will follow the approach recommended in paragraph 11.6. Therefore, our starting point will be that rents for affordable rented housing should be 60% of market values (including service charges), subject to the viability of delivering housing at these costs. Such housing is called 'Dacorum Affordable Rent'.
- 11.8 The Council may develop a housing policy to explain our approach where full compliance with the Council's planning policies and this SPD, including providing Dacorum Affordable Rent housing, would make schemes unviable. If so, the key points will be included in the finalised version of the SPD.
- 11.9 Rents for Dacorum Affordable Rent homes should continue to be secured at around 60% of median market rents as recommended in paragraph 11.6 during the lifetime of this SPD, unless convincing evidence to the Council's satisfaction is brought forward to justify higher affordable rents. In such circumstances, affordable rents should be capped at no more than 80% of median market rents and be within Local Housing Allowance rates.
- 11.10 In operating this approach, we will take account of rental prices for the private rental market from the Valuation Office Agency and Office for National Statistics:
- <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/privaterentalmarketsummarystatisticsinengland>
- 11.11 Section 106 agreements attached to planning permissions for housing development should require rented affordable homes to remain at an affordable price for future eligible households, or indicate how the subsidy should be recycled for alternative affordable housing provision (see Table 27.1).
- 11.12 Affordable rented housing will be allocated to people on the Council's Housing Register and will be based on our Housing Allocations Policy (see Appendix 5).

12. AFFORDABLE PRIVATE RENT IN BUILD TO RENT SCHEMES

Key guidance

Build to rent housing is purpose built housing that is typically 100% rented out. The normal form of affordable housing in such schemes is 'affordable private rent'.

Government guidance states that on build to rent schemes, 20% of homes should generally be for affordable private rent. Also, rents on these homes should be at least 20% below local market rents.

As with other housing, the Council will expect the proportion of affordable homes in build to rent schemes to be 35% (40% on local allocations).

The approach in section 11 on Dacorum Affordable Rent can apply equally to affordable private rent.

When considering planning applications, we will bear in mind that Government guidance encourages flexibility.

Background information

12.1 The National Planning Policy Framework (NPPF) defines 'build to rent' as follows:

"Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control."

12.2 The NPPF's definition of 'affordable housing for rent' (see Appendix 2) states that, for build to rent schemes, affordable housing for rent is expected to be the normal form of affordable housing provision (and is called 'affordable private rent'). The landlord need not be a registered provider. The NPPF definition also requires that affordable private rented housing must meet the following conditions:

- the rent is at least 20% below local market rents (including service charges where applicable); and
- it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

12.3 NPPF paragraph 66 states that affordable home ownership is not required in build to rent schemes.

12.4 Further guidance on affordable private rented homes is contained in the Planning Practice Guidance (PPG) on 'Build to rent'. In particular:

- 20% is generally a suitable level of affordable private rent homes to be provided (and maintained in perpetuity) in build to rent schemes. Local authorities can set a different

proportion, if justified by evidence in their local housing need assessment and included in a local plan policy (paragraph 002).

- Build to rent developers should assess the market rent using the definition of the International Valuations Standard Committee as adopted by the Royal Institute of Chartered Surveyors (paragraph 003).
- Developers will usually meet their affordable housing requirement by providing affordable private rent homes. However, a developer and a local authority can agree to meet this requirement by other routes, such as a commuted payment and/or other forms of affordable housing as defined in the NPPF (paragraph 004).
- Both the proportion of affordable private rent units, and discount offered on them can be varied across a development, over time. Similarly, it should be possible to explore a trade off between the proportion of discounted units and the discount(s) offered on them, with the proviso being that these should accord with the headline affordable housing contribution agreed through the planning permission (paragraph 005).
- Affordable private rent homes should be under common management control, along with the market rent build to rent homes. They should be distributed throughout the development and physically indistinguishable from the market rent homes in terms of quality and size. The section 106 agreement should set out the process for managing affordable private rent units and require an annual statement on these homes (paragraph 006).
- The section 106 agreement should include a mechanism to recoup ('clawback') the value of the affordable housing provision that is withdrawn if affordable private rent homes are converted to another tenure. The sale of homes from a build to rent development should not result in the loss of affordable housing without alternative provision being made (paragraphs 007 and 008).
- Eligibility for occupying affordable private rented homes should be agreed between the local authority and the scheme operator. The eligibility criteria for the affordable private rent homes should be set out in the section 106 agreement. In the absence of a local intermediate housing list, the criteria should reflect the authority's housing allocation policies and potential candidates from the Statutory Housing list. Ideally, peoples' local residence or employment connections should also be included (paragraph 009).

12.5 Paragraph 5.126 in the South West Hertfordshire Local Housing Needs Assessment advised that, given the scale of identified affordable housing need, the affordable housing contribution from build to rent schemes should be maximised to the level which viability permits.

The Council's approach

- 12.6 To date, just one build to rent scheme has been built in Dacorum (at Bryanston Court, in Hemel Hempstead town centre). It appears that such developments are usually on large, high density, urban sites.
- 12.7 The Council will judge any such proposals on their merits, taking account of the guidance in the PPG. In view of paragraph 004 in the PPG, we will be flexible over how the affordable housing requirement should be met on build to rent schemes.
- 12.8 Planning applications should be accompanied by a viability assessment (see section 25). Subject to the results of the assessment, the proportion of homes for affordable private rent

should normally be 35% (40% on local allocations – see paragraph 7.5). This approach is justified as the guidance on the affordable housing percentages in the Council’s adopted planning policies applies to all types of affordable housing (see section 7). However, we will be mindful of the flexibility in paragraph 005 of the PPG.

- 12.9 The Council wishes to ensure that affordable private rented homes are genuinely affordable, subject to paragraph 005 in the PPG. The approach outlined in paragraphs 11.7-11.9 on ‘Dacorum Affordable Rent’ can apply equally to affordable private rent.
- 12.10 The Council is preparing a housing policy document called ‘Local Connection Policy for Other Affordable Housing’ (see Appendix 5). Once this document is approved, eligibility for affordable private rented housing will be assessed against the criteria in the policy.
- 12.11 A bespoke Section 106 agreement will be needed for build to rent housing. The agreement should require the affordable private rented homes to remain at a genuinely affordable price for future eligible households, or indicate how the subsidy should be recycled for alternative affordable housing provision (see Table 27.1). It should also reflect the references to Section 106 agreements in the ‘Build to rent’ PPG, including the points made in paragraph 12.4.

13. FIRST HOMES

Key guidance

First Homes are discounted open market sale units, which will be the main type of affordable home ownership. Key requirements in Government guidance are that:

- First Homes must be discounted by a minimum of 30% against the market value.
- They are sold to first time buyers with a household income no more than £80,000.
- After the discount has been applied, the first sale price must not exceed £250,000.
- First Homes should account for at least 25% of affordable homes, except in certain circumstances.

These requirements mean that most First Homes in Dacorum are likely to be flats. Therefore, in order to secure a broad mix of house sizes for affordable home ownership, 25% (and no more) of the affordable homes should be First Homes (unless the scheme is exempt from providing First Homes).

Eligibility for First Homes will be assessed against the Council's Local Connection Policy, once it is approved.

Background information

- 13.1 In May 2021, the Government issued the Planning Practice Guidance (PPG) on First Homes. This was accompanied by a Written Ministerial Statement on First Homes, which was very similar to the PPG. In February 2024, a Local Authority Guidance Note on 'First Homes' was published by the Government to give more detailed guidance on First Homes. This guide is not a statement of national planning policy, but is designed to further support local authorities in interpreting and implementing the First Homes policy.
- 13.2 Paragraph 001 in the 'PPG explains what First Homes are (see Appendix 2). Key points are that First Homes are discounted market sale units which:
- a) must be discounted by a minimum of 30% against the market value;
 - b) are sold to a person or persons meeting the First Homes eligibility criteria (see below);
 - c) on their first sale, will have a restriction registered on the title to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and
 - d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (outside London).
- 13.3 Other important points to note from the First Homes PPG include that:
- First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units (paragraph 001) – but see paragraphs 13.5 and 13.6 below.
 - First Homes should be subject to a section 106 agreement restricting the use and sale of the property, and a legal restriction on the title of the property which applies the restrictions at each future sale (paragraph 002).

- Local authorities can require a higher minimum discount of either 40% or 50%, if they can demonstrate a need in their plan-making process (paragraph 004).
- Local authorities can require a lower price cap than £250,000, if they can demonstrate a need in their plan-making process (paragraph 005).
- Developers should obtain a valuation from a registered valuer acting in an independent capacity. When the home is resold in future, the seller should secure a valuation in the same way (paragraph 006).
- Purchasers of First Homes (including future sales) should comply with the national standard criteria, including that they are first time buyers and have a household income not exceeding £80,000 (outside London) (paragraph 007).
- Local authorities and neighbourhood planning groups can apply local eligibility criteria (paragraph 008).
- A policy compliant planning application including First Homes should seek to capture the same amount of value as under the local authority's up-to-date published policy (paragraph 014).
- Once a minimum of 25% of First Homes has been accounted for, social rent should be delivered in the same percentage as set out in the local plan. The remainder of the affordable housing tenures should be delivered in line with the proportions set out in the local plan policy (paragraph 015).
- If a planning application with 25% of the affordable homes as First Homes falls short of the NPPF's 10% affordable home ownership expectation, additional affordable home ownership homes may be provided to meet this expectation (paragraph 023).
- First Homes exception sites may come forward outside of local plan allocations and deliver primarily First Homes, but not in the Green Belt or Areas of Outstanding Natural Beauty (paragraphs 024-028).

13.4 In addition, the PPG contains more detailed advice on First Homes regarding planning applications and Section 106 agreements, as shown below (see section 27):

Subject	Paragraph in PPG
Legal mechanism to ensure the discount is passed to future purchasers	003
Establishing open market value	006
Mortgagee exclusion clause	010
Selling without the First Homes restrictions	011
Securing developer contributions for First Homes	012
Community Infrastructure Levy on First Homes development	016

13.5 Also relevant is the requirement in paragraph 66 of the National Planning Policy Framework (NPPF) that at least 10% of the total number of homes should be available for affordable home ownership, except in certain circumstances (see paragraph 2.3 above).

The Council's approach

13.6 The Council's approach towards First Homes is based on the national requirements in the NPPF and PPG and local circumstances, including the following:

- 25% (and no more) of the affordable homes should be First Homes (for the reasons stated in paragraph 13.8), subject to bullet point 2 below.
- Schemes that are exempt from the 10% affordable home ownership requirement in the NPPF (see paragraph 2.3 above) will also be exempt from the requirement in the First Homes PPG that at least 25% of the affordable housing units should be First Homes. This reflects the fact that First Homes are a type of affordable home ownership).
- First Homes must be discounted by a minimum of 30% against the market value in perpetuity.
- The first sale price must be no higher than £250,000 after applying the discount.

13.7 In the further work on the new Local Plan, the Council will consider whether a higher minimum discount and a lower price cap are justified.

13.8 Any property with an open market value of over around £357,000 will have to be discounted by more than 30% to reduce the price to the maximum for First Homes of £250,000. Discounts above 30% will have a greater impact on the viability of sites. This together with high local house prices, means that most First Homes in Dacorum will probably be one or two bedroom flats. Therefore, in order to secure a broad mix of house sizes for affordable home ownership, 25% (and no more) of the affordable homes should be First Homes (see paragraphs 9.7-9.10) (unless the scheme is exempt from providing First Homes).

13.9 The Council is preparing a housing policy document called 'Local Connection Policy for Other Affordable Housing' (see Appendix 5). Once this document is approved, eligibility for First Homes will be assessed against the local connection criteria in the policy.

13.10 In accordance with paragraph 008 in the 'First Homes' PPG, the local connection criteria will in relation to First Homes:

- Apply for only three months from when a home is first marketed. If a suitable buyer has not reserved a home by then, the eligibility criteria will revert to the national criteria (paragraph 007 in the PPG).
- Not apply to active members of the armed forces, divorced/separated spouses or civil partners of current members of the forces, spouses or civil partners of a deceased member of the forces (if their death was wholly or partly caused by their service) and veterans within five years of leaving the forces.

13.11 Outside the towns and large villages excluded from the Green Belt (see Core Strategy page 41), First Homes will not be permitted unless the proposal is for a First Homes exception site in Long Marston or Wilstone (see section 18).

13.12 Additional guidance on the Council's approach towards First Homes can be found elsewhere in this SPD:

Section	Subject
9	Percentage split between different types of affordable housing
17	Exception sites
23	Submitting a planning application
27	Section 106 agreements
28	Funding, registered providers and CIL relief

14. SHARED OWNERSHIP

Key guidance

Shared ownership housing enables households to purchase a share in a home with a mortgage, whilst paying rent on the rest. Purchasers can buy additional shares when they can afford to do so.

Shared ownership will still be an important type of affordable home ownership in Dacorum, despite the introduction of First Homes. It should form up to 19% of the affordable housing.

Most shared ownership homes should be houses with 2 or 3-bedrooms.

The total monthly costs (mortgage payments and rent) should be lower than renting or purchasing a similar home on the open market.

Applications to live in shared ownership housing will be assessed against the Council's Local Connection Policy, once it is approved.

Background information

- 14.1 The NPPF's definition of affordable housing (see Appendix 2) describes shared ownership housing as an affordable route to home ownership for those who could not achieve home ownership through the market. Such housing enables households to purchase a share in a home with a mortgage, whilst paying rent on the remaining unowned share. It is a common form of affordable home ownership, widely supported by the main mortgage lenders.
- 14.2 Shared ownership housing can be provided by registered providers (see paragraphs 28.5-28.9) or the Council. An initial share (usually between 25% and 75%) is bought and rent is paid to the provider on the remaining unowned share. Shared ownership homes are sold on the basis of a Homes England standard model lease. Purchasers can buy additional shares of equity in the property when they can afford to do so, up to 100% ownership. This is known as staircasing.
- 14.3 The following rural parishes in Dacorum are 'Designated Protected Areas' (see Figure 2 in section 6):

Table 14.1: Designated protected areas

Designated Protected Areas (parishes)		
Aldbury	Great Gaddesden	Nettleden with Potten End
Chipperfield	Little Gaddesden	Tring Rural
Flamstead	Markyate	

- 14.4 Within Designated Protected Areas, regulations ensure that rural affordable housing (specifically grant funded shared ownership properties) remains in the ownership of local people:
<https://www.gov.uk/government/publications/designated-protected-areas>
- 14.5 Where that applies, registered providers must offer grant-funded shared ownership properties with a lease that either:

- Restricts staircasing to 80%; or
 - Where the leaseholder is permitted to acquire more than 80% (i.e. up to full ownership), obliges the landlord specified in the lease (or a designated alternative landlord) to repurchase the property when the leaseholder wishes to sell.
- 14.6 The Government's 'New Model for Shared Ownership: technical consultation' (April 2021), proposed changes to the standard model for shared ownership housing. The changes included reducing the minimum initial share from 25% to 10% and introducing a new gradual staircasing offer (1% per year). In May 2021, the ministerial statement on First Homes emphasised the Government's continuing support for shared ownership housing. It also confirmed that shared ownership homes delivered through Section 106 agreements should be based on the standard model in the technical consultation document (see section 27 for further guidance and Appendix 1 for web links to documents).
- 14.7 Chapter 1 in Homes England's Capital Funding Guide (CFG) contains the rules and procedures for all providers delivering shared ownership housing through grant funding from Homes England (see Appendix 1). Key points to note are that:
- The rent level is set by the provider. The annual rent at initial sale must be no more than 3% of the value of the home in the ownership of the provider (rents of no more than 2.75% on the unsold equity are encouraged).
 - Providers must obtain valuations from a Royal Institution of Chartered Surveyors (RICS) qualified and registered valuer at the point of initial sale of a shared ownership home.
 - Initial sales must be based on the full market value of the property.
 - The price paid for further shares for all staircasing transaction other than the 1% per year option is also based on the full open market value of the property.
 - Shared Ownership home applicants must have a gross household income of less than £80,000 and be otherwise unable to purchase a suitable property for their housing needs on the open market.
 - Applicants must also meet the eligibility requirements of the provider of the shared ownership housing.
- 14.8 Paragraph 5.131 in the South West Hertfordshire Local Housing Needs Assessment (LHNA) found that the most appropriate affordable home ownership types in the area were shared ownership and discounted market sale, as they reach the widest and lowest-earning population base.
- 14.9 Paragraphs 5.192-5.194 in the LHNA consider the cost of shared ownership housing. Based on a number of assumptions, it is concluded that an equity share of not more than about 22% would potentially be affordable for most sizes of homes in Dacorum. This figure is based on an estimate of open market value (for the whole of Dacorum) and a set of assumptions. The LHNA advises that similar calculations would need to be carried out for any specific scheme to test affordability.

The Council's approach

- 14.10 In the past, shared ownership housing has been the main form of affordable home ownership in Dacorum. This will no longer be the case due to the introduction of First Homes, but shared ownership housing will still be important.
- 14.11 Shared ownership generally works best with 2 and 3-bedroom houses, in terms of affordability and demand. There may be more limited demand for shared ownership leasehold flats.

Therefore, and to help secure an appropriate broad mix of housing (see section 18), the Council would like a substantial proportion of shared ownership properties to be 2 and 3-bedroom houses. This preference is reinforced by the expectation that few First Homes in Dacorum will be houses (see paragraph 13.8).

- 14.12 Given the above and also paragraphs 9.7-9.10, shared ownership housing should form up to 19% of the affordable housing.
- 14.13 To ensure affordability, the Council will 'sense check' the total monthly costs (mortgage payments and rent). These costs need to be lower than renting or purchasing a similar home on the open market, in order to meet the NPPF's definition of affordable housing. Registered providers will be required to demonstrate the affordability of their schemes. Our preference is that providers should follow Homes England's rules (see paragraph 14.7).
- 14.14 Additional guidance on the Council's approach towards shared ownership can be found in section 27 (Section 106 agreements).
- 14.15 The Council is preparing a housing policy document called 'Local Connection Policy for Other Affordable Housing' (see Appendix 5). Once this document is approved, people wishing to live in shared ownership housing will be assessed against the local connection criteria in the policy.

15. RENT TO BUY

Key guidance

Rent to buy housing is available initially for affordable rent, but can later be converted to outright ownership or shared ownership. There must also be an agreed length of tenancy, followed by an option to buy or rent again over an agreed period.

Eligibility for rent to buy housing will be assessed against the Council's Local Connection Policy, once it is approved.

Background information

- 15.1 The National Planning Policy Framework's definition of affordable housing (see Appendix 2) describes rent to buy housing as an affordable route to home ownership for those who could not achieve home ownership through the market. Such housing includes a period of intermediate rent.
- 15.2 There are several types of rent to buy products. All effectively provide housing initially on an affordable rented basis, which may be converted to outright ownership or shared ownership over time.
- 15.3 Chapter 3 in Homes England's Capital Funding Guide (CFG) contains the rules and procedures for all providers delivering rent to buy housing through grant funding from Homes England:
- <https://www.gov.uk/guidance/capital-funding-guide>
- 15.4 The CFG states, amongst other things, that:
- Organisations must be registered providers with the Regulator of Social Housing and/or manage rent to buy homes.
 - The homes will be let at an intermediate rent for a minimum of five years.
 - Intermediate rents must not exceed 80% of market rents (inclusive of service charges).
 - The homes are not subject to local authority nominations, although landlords may choose to work with the local authority to identify potential tenants.
 - The homes will be sold at market value.
- 15.5 The South West Hertfordshire Local Housing Needs Assessment (LHNA) states in paragraph 5.162 that initial rents for rent to buy housing should be set at an "affordable" level, which includes repair and maintenance responsibilities. There should also be an agreed length of the tenancy, before an option to buy or continue to rent again over an agreed period.

The Council's approach

- 15.6 Only one rent to buy scheme has been built in Dacorum, at Two Waters Road, Hemel Hempstead. The Council will support further proposals if they reflect Government guidance and the advice in the LHNA.
- 15.7 Rent to buy homes should usually be provided through an approved registered provider. Our preference is that providers should follow Homes England's rules (see paragraph 14.7). The Council is aware that there are other rent to buy models that are not governed by Homes England's rules.

- 15.8 Rent to buy homes will be secured by a planning obligation, to ensure they constitute affordable housing and provide nomination and sales rights to the Council (see section 27, particularly Table 27.2).
- 15.9 The Council is preparing a housing policy document called 'Local Connection Policy for Other Affordable Housing' (see Appendix 5). Once this document is approved, eligibility for rent to buy housing will be assessed against the criteria in the policy.

16. AFFORDABLE HOUSING ON SCHEMES FOR OLDER PEOPLE

Key guidance

Government guidance states that local authorities should plan to meet the full range of housing needs for older people.

Local evidence shows a substantial need for additional affordable extra care housing and care home bedspaces. There is a surplus of affordable retirement housing, but no vacancy problem in many of the Council's sheltered housing schemes.

The Council's approach towards affordable housing on different types of housing for older people is summarised below:

Type of housing	Affordable housing requirements on open market developments
Age-restricted general market housing	On-site provision of affordable housing, as per Core Strategy Policy CS19.
Retirement living or sheltered housing	Affordable housing required through on-site provision, off-site provision or financial contribution.
Extra care housing or housing-with-care	Affordable housing required through on-site provision, off-site provision or financial contribution.
Residential care homes and nursing homes	Affordable bedspaces not required.

Affordable housing for older people will be allocated on the basis of the Council's Housing Allocations Policy (rented homes) and the Local Connection Policy, once approved (homes for sale)..

Background information

- 16.1 Dacorum's Core Strategy Policy CS19 (affordable housing) sets out the Council's overall requirements for affordable housing. The policy refers to 'dwellings', so applies to all housing schemes for older people except care homes.
- 16.2 Annex 2 in the National Planning Policy Framework (NPPF) defines 'older people' as follows:
- "People over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs."
- 16.3 NPPF paragraph 63 highlights the need to assess and plan for the housing needs of different groups in the community, including those who require affordable housing and older people.

16.4 More detailed guidance is provided in the Planning Practice Guidance (PPG) on 'Housing for older and disabled people'. In particular:

- Paragraph 010 states that the different types of specialist housing designed to meet the diverse needs of older people can include:
 - Age-restricted general market housing
 - Retirement living or sheltered housing
 - Extra care housing or housing-with-care
 - Residential care homes and nursing homes
- When determining whether a housing development for older people falls within Use Class C2 or C3, the level of care and scale of communal facilities provided should be considered (paragraph 014).
- The only mention of affordable housing is about viability (paragraph 015).

16.5 A number of reports confirm the high and growing need for housing for older people. For example, 'Housing for Older People' (House of Commons Communities and Local Government Committee, February 2018):

<https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/370/370.pdf>

16.6 The South West Hertfordshire Local Housing Needs Assessment (LHNA) advises (paragraphs 7.24-7.32) that:

- Providing affordable housing on schemes for older people, particularly extra care, is less viable than in general housing. This is because fit-out is more expensive and there are ongoing costs. As a result, affordable housing contributions are likely to be lower than from general housing.
- Some developers resist affordable housing in their schemes, so an alternative approach is to seek off-site financial contributions.

16.7 Tables 90 and 96 in the LHNA show the assessed need for additional housing for older people in Dacorum:

Table 16.1: Older persons' dwelling and care bed requirements 2020-2036

Type of housing	Tenure	Homes required 2020-2036	Bedspaces required 2020-2036
Retirement housing	Affordable (rented)	-149	n/a
	Open market (leasehold)	726	n/a
Extra care housing	Affordable (rented)	366	n/a
	Open market (leasehold)	248	n/a
Care and nursing homes	All	n/a	1,019

16.8 With affordable retirement housing, the LHNA indicates a demand for an additional 526 homes 2020-2036, but this is insufficient to eliminate the surplus of 675 homes that existed in 2020. For care homes and nursing homes, the LHNA does not give separate figures for affordable and open market bedspaces.

16.9 The LHNA is currently being reviewed and its updated evidence and recommendations on housing for older people will inform the finalised version of this SPD.

16.10 Paragraphs 16.11-16.28 provide further background information and explain the Council's approach towards affordable housing on different types of housing for older people, taking account of Government guidance and local evidence on housing need.

(i) AGE-RESTRICTED GENERAL MARKET HOUSING

Background information

16.11 The PPG on 'Housing for older and disabled people' states (paragraph 010) that:

"This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services."

The Council's approach

16.12 Core Strategy Policy CS19 applies to such housing, so the Council will expect proposals to provide affordable housing on-site.

(ii) RETIREMENT LIVING OR SHELTERED HOUSING (ALSO CALLED SUPPORTED HOUSING)

Background information

16.13 The PPG (paragraph 010) states that:

"This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager."

16.14 The LHNA shows a surplus of affordable retirement housing in Dacorum (see Table 16.1 above), However, whilst vacancies in the Council's sheltered housing stock are fairly high, they are concentrated mainly in a few schemes which do not meet current or future needs. The Council is currently carrying out a Supported Housing Review, as part of a wider strategic assets review.

The Council's approach

16.15 Core Strategy Policy CS19 applies to retirement housing. The Council will decide in the final version of this SPD whether to seek any affordable housing in open market retirement housing developments. The decision will reflect the findings of the Council's Supported Housing Review and the LHNA Review.

16.16 Our provisional view is that seeking affordable housing on such developments is justified, because:

- Many of the Council's sheltered housing schemes do not have a vacancy problem - this should be given considerable weight, as it shows the actual position rather than the results of the LHNA's theoretical model.
- The Supported Housing Review is expected to lead to a substantial capital programme to refurbish or redevelop some sites for continued sheltered housing use. Financial contributions from private sector retirement schemes could help to fund this programme.

16.17 If the provisional decision to seek affordable housing is confirmed, the final SPD will indicate that:

- Viability assessments should be submitted if applicants consider that the Council's requirements for affordable housing would make their proposals unviable (see section 25).

- Off-site provision or a financial contribution in lieu of the on-site provision of affordable housing may be acceptable (see paragraph 26.6).

16.18 Affordable retirement housing for older people will be allocated on the basis of the Council's Housing Allocations Policy (rented homes) and the Local Connection Policy once approved (homes for sale) – see Appendix 5.

(iii) EXTRA CARE HOUSING (ALSO CALLED HOUSING WITH CARE OR FLEXICARE)

Background information

16.19 The PPG (paragraph 010) states that:

“This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.”

The Council's approach

16.20 The Council will regard extra care housing schemes as falling within Use Class C2 (residential institutions), if the level of care and scale of communal facilities justifies this in terms of paragraph 014 in the PPG. We will also take account of the High Court judgment on extra care housing in Rectory Homes v South Oxfordshire District Council:

<https://www.judiciary.uk/wp-content/uploads/2020/07/Rectory-Homes-v-SSHCLG-final-judgment-31-07-2020.pdf>

16.21 This judgment found that:

- The use of the word “dwelling” in South Oxfordshire's policy was not restricted to C3 uses.
- There is no reason why a Class C2 development may not provide residential accommodation in the form of dwellings.

16.22 Local evidence of need, together with the Rectory Homes v South Oxfordshire judgment, provides a clear justification for applying Policy CS19 to extra care schemes, whether they fall within Class C2 or C3.

16.23 The Council recognises that viability issues may mean that less affordable housing than normal (or none at all) can be provided on some extra care schemes. If applicants consider this to be the case, they should submit a viability assessment alongside their proposals (see section 25). Also, the Council is willing to accept on-site provision of affordable housing, off-site provision, or a financial contribution in lieu of on-site provision (section 26).

16.24 There may be scope to use land owned by Hertfordshire County Council and/or Dacorum Borough Council for off-site provision of affordable extra care housing, or to put financial contributions towards such housing. This depends partly on the outcome of the Borough Council's Supported Housing Review (see paragraph 16.15).

16.25 Affordable extra care housing for older people will be allocated on the basis of the Council's Housing Allocations Policy (rented homes) and the Local Connection Policy once approved (homes for sale) – see Appendix 5.

(iv) RESIDENTIAL CARE HOMES AND NURSING HOMES

Background information

16.26 The PPG (paragraph 010) states that:

“These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes.

The Council’s approach

- 16.27 Care homes are C2 uses. The LHNA shows a high need for additional care home bedspaces in Dacorum, but does not provide a split between affordable and open market bedspaces (see paragraphs 16.7 and 16.8). There are no proposals for new public sector care homes, although Hertfordshire County Council funding is increasing (see paragraph 16.9).
- 16.28 The Council concludes that it would not be appropriate to seek any affordable bedspaces in open market care home developments, despite the evidence of need in the LHNA. This is because Core Strategy Policy CS19 refers to “dwellings” and “housing units”. Therefore, it does not apply to bedspaces in care homes. The matter will considered further in the new Local Plan.

17. EXCEPTION SITES

Key guidance

Government guidance identifies three types of exception sites, which can be permitted outside settlement boundaries as exceptions to normal planning policy (on land not allocated for housing).

Our approach towards the three types of exception sites is summarised below. Also, with rural exception sites and First Homes exceptions sites, a need for affordable housing must be established and the housing restricted to people with a strong local connection.

(i) Rural exception sites

The Council supports appropriate affordable housing proposals in Aldbury, Chipperfield, Flamstead, Long Marston, Potten End, Wigginton and Wilstone.

A small element of open market housing will be permitted only if necessary to make a scheme viable.

(ii) First Homes exception sites

These sites deliver primarily First Homes, but can include a small proportion of open market housing if necessary to ensure viability, or other types of affordable housing if justified by evidence. Long Marston and Wilstone are the only acceptable places for such housing.

The normal requirements for First Homes apply (see section 13).

(iii) Community-led developments

These developments are instigated and taken forward by a not-for-profit organisation set up and run primarily for the purpose of meeting the housing needs of its members and the wider local community.

The Council will support proposals in Long Marston and Wilstone which comply with Government guidance.

Background information

- 17.1 The National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) on 'First Homes' encourage the following types of affordable housing schemes, which can be permitted outside settlement boundaries as exceptions to normal planning policy (on land not allocated for housing):
- Rural exception sites
 - First Homes exception sites
 - Community-led development
- 17.2 Paragraphs 17.3-17.10 deal with rural and First Homes exception sites. Community-led development is then considered in paragraphs 17.11-17.17.

(i) RURAL AND FIRST HOMES EXCEPTION SITES

Background information

- 17.3 The Government definitions of rural and First Homes exception sites are set out in Appendix 2.
- 17.4 On rural exception sites, NPPF paragraph 82 states that:
- “Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.”
- 17.5 There is no need for 10% of the homes on rural exception sites to be for affordable home ownership (NPPF paragraph 66).
- 17.6 Government guidance on First Homes exception sites is set out in paragraphs 024-028 of the PPG on ‘First Homes’. In particular:
- A First Homes exception site delivers primarily First Homes.
 - Such sites cannot come forward in the Green Belt or AONBs, where rural exception sites are the sole permissible type of exception site.
 - First Homes exception sites can deliver a small proportion of market housing, if necessary to ensure viability.
 - Small quantities of other forms of affordable housing can be included, where justified by evidence in a local housing needs assessment, local authority housing register, or other sufficiently rigorous local evidence.
- 17.7 Dacorum Core Strategy Policy CS20 (rural sites for affordable homes) supports rural exception sites in appropriate locations (see Appendix 3). It states that small-scale schemes for local affordable homes will be promoted in and adjoining selected small villages, and exceptionally elsewhere. Development will be permitted only if it meets an identified local need for affordable housing, is for people with a strong local connection and the scale and design are acceptable.
- 17.8 The selected small villages are listed in Policies CS6 and CS7, and Figure 1 (in section 3) shows their location:

Policy CS6 (selected small villages in the Green Belt)	Chipperfield Flamstead Potten End Wigginton
Policy CS7 (rural area)	Aldbury Long Marston Wilstone

- 17.9 The Core Strategy contains no reference to First Homes exception sites, as such housing had not been introduced at the time.

The Council’s approach

- 17.10 Our approach towards rural and First Homes exception sites is set out in Table 17.1. It takes account of Government guidance and the Dacorum Core Strategy.

Table 17.1: The Council’s approach towards exception sites

(i) Points which apply to rural and First Homes exception sites							
1. A need for affordable housing must be established through a local housing needs survey							
<p>Housing need must be identified in a local housing needs survey undertaken by the Rural Housing Enabler (RHE) for Dacorum. In Hertfordshire, the RHE is employed and managed by CDA Herts (cdaherts.org.uk) and acts as an independent advisor, who can offer impartial assistance. Approaches from private developers should be made directly to Dacorum Borough Council.</p> <p>CDA Herts assesses housing need by working with the local community and parish councils through housing needs surveys. It also works with landowners, planning authorities, housing associations and developers to facilitate the provision of affordable housing in rural Hertfordshire.</p> <p>Contact details for CDA Herts are shown below:</p> <table border="1" data-bbox="185 752 928 860"> <tr> <td>Address</td> <td>The Castle, Hertford, SG14 1HR</td> </tr> <tr> <td>Phone</td> <td>01992 289060</td> </tr> <tr> <td>Email</td> <td>Office@cdaherts.org.uk</td> </tr> </table> <p>The geographical extent of the housing needs survey should be agreed with the Council. It may be appropriate to include adjoining parishes. The survey should be no more than three years old when a planning application for a rural exception site is submitted.</p> <p>The survey will be used not only to justify the development of a site, but also to ensure that the size and type of housing proposed meets the identified need and that this need cannot be met on a site that would otherwise accord with policy.</p>		Address	The Castle, Hertford, SG14 1HR	Phone	01992 289060	Email	Office@cdaherts.org.uk
Address	The Castle, Hertford, SG14 1HR						
Phone	01992 289060						
Email	Office@cdaherts.org.uk						
2. The housing must be restricted to people with strong local connections							
<p>Occupation will be restricted to people who have a strong local connection with the village or parish through work, residence or family.</p> <p>The Council’s Choice Based Lettings service, Moving with Dacorum, will be used to allocate rented properties to households with a local connection to the relevant village or parish.</p> <p>The restriction of the housing to people with a strong local connection must remain in perpetuity. This will be stated in a Section 106 agreement (see Table 27.2). The Section 106 agreement will include a cascade of secondary parishes, if there are insufficient people coming forward from the main parish. The assessment of eligibility will be based on the Local Connection Policy once approved (see Appendix 5), but applied at a more local level.</p> <p>If there are still vacant properties after the above process has been followed, the Council will use its Housing Allocations Policy to find occupants for homes for rent.</p>							
3. Scale and design of schemes							
<p>The scale and design of schemes should respect the character, setting and form of the village and surrounding countryside. A site on the edge of a village must represent a logical extension to it.</p> <p>Sites should normally contain between 5 and 15 homes.</p> <p>Proposals should generally be for houses, rather than flats. Bungalows may be permitted, where compatible with the local character.</p>							

Sites should be well related to the existing village and close to amenities and facilities such as shops, a primary school, a village hall and bus stops.

The design and layout of schemes should take account of sections 18-22. It should be noted that:

- Aldbury and Wigginton are in the Chilterns Area of Outstanding Natural Beauty, so Core Strategy Policy CS24 applies.
- All the selected small villages except Wigginton have conservation areas - see Policy CS27 (quality of historic environment). Conservation area character appraisals have been published for Aldbury and Chipperfield.

(ii) Points where the approach varies between different types of exception sites

Rural exception sites

First Homes exception sites

4. Acceptable locations for exception sites

In and adjoining selected small villages (Aldbury, Chipperfield, Flamstead, Long Marston, Potten End, Wigginton, Wilstone) and exceptionally elsewhere.

Only in or adjoining Long Marston and Wilstone (as Government guidance does not allow such schemes in the Green Belt or Chilterns AONB).

5. Affordable housing tenures and scope to include open market housing

Normally 100% affordable housing.

No need for 10% of the homes to be for affordable home ownership.

A small proportion of open market housing may be allowed where a viability assessment (see section 25) demonstrates that a cross subsidy is necessary to make a scheme viable. In these circumstances, the open market housing will be expected to meet identified local needs.

Normally 100% First Homes for sale.

Schemes can include:

- A small proportion of open market housing, if necessary to ensure viability (see column 1).
- Small quantities of other forms of affordable housing can be included, where justified by evidence.

6. Cost of affordable housing

Rents should be genuinely affordable, based on the guidance in section 11.

The sale price must be discounted by 30% against the market value.

The homes must be sold to first time buyers with a household income no more than £80,000.

After the discount has been applied, the first sale price must not exceed £250,000.

(ii) COMMUNITY-LED DEVELOPMENTS

Background information

17.11 NPPF Annex 2 defines community-led development as follows:

“A development instigated and taken forward by a not-for-profit organisation set up and run primarily for the purpose of meeting the housing needs of its members and the wider local community, rather than being a primarily commercial enterprise. The organisation is created, managed and democratically controlled by its members. It may take any one of various legal forms including a community land trust, housing co-operative and community benefit society. Membership of the organisation is open to all beneficiaries and prospective beneficiaries of that organisation. The organisation should own, manage or steward the homes in a manner consistent with its purpose, for example through a mutually supported arrangement with a Registered Provider of Social Housing. The benefits of the development to the specified community should be clearly defined and consideration given to how these benefits can be protected over time, including in the event of the organisation being wound up.”

17.12 The main Government guidance on community-led development can be found in NPPF paragraph 73:

“Local planning authorities should support the development of exception sites for community-led development (as defined in Annex 2) on sites that would not otherwise be suitable as rural exception sites. These sites should be on land which is not already allocated for housing and should:

a) comprise community-led development that includes one or more types of affordable housing as defined in Annex 2 of this Framework. A proportion of market homes may be allowed on the site at the local planning authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding; and

b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in this Framework, and comply with any local design policies and standards.”

17.13 Footnote 37 in the NPPF adds that:

“Community-led development exception sites should not be larger than one hectare in size or exceed 5% of the size of the existing settlement.”

17.14 NPPF footnotes 7 and 38 indicate that community-led developments cannot come forward in protected areas including the Green Belt or AONBs, where rural exception sites are the sole permissible type of exception site.

17.15 There is no need for 10% of the homes on community-led developments to be for affordable home ownership (NPPF paragraph 66).

17.16 Dacorum’s Core Strategy does not include any mention of community-led development.

The Council’s approach

17.17 In view of paragraph 17.14, community-led developments are acceptable in principle in Dacorum only at Long Marston and Wilstone. We will support community-led developments in these villages if they comply with the Government guidance referred to above.

PART 4: AFFORDABLE HOUSING MIX, DESIGN AND LAYOUT



Recently completed Council Homes at School End Crescent and Old School House, Hemel Hempstead

18. HOUSING SIZE MIX FOR AFFORDABLE HOUSING

Key guidance

Based on local evidence, the Council is seeking an overall housing size mix broadly as shown below, but will amend the split if justified by more up-to-date information:

Bedrooms	Social/affordable rented housing	Affordable home ownership	Open market housing
	%	%	%
1	30	25	5
2	35	40	20
3	25	25	45
4+	10	10	30

The housing size mix will be negotiated by the Council on a site by site basis and will vary accordingly.

The Council will request that new homes, including the affordable housing element, are built to the nationally described space standards.

Affordable housing should usually be designed to accommodate two adults in one bedroom and two children in each further bedroom.

Background information

18.1 The National Planning Policy Framework (paragraph 63) states that the size of housing needed for different groups in the community should be assessed and reflected in planning policies including, but not limited to, those who require affordable housing.

18.2 The Government’s ‘Technical housing standards – nationally described space standard’ includes standards on the minimum gross internal floor areas and storage (Table 1):

<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard/technical-housing-standards-nationally-described-space-standard>

18.3 However, the Planning Practice Guidance on ‘Housing: optional technical standards’ states in paragraphs 018 and 020 that local planning authorities should not require these standards, unless the need for them has been justified through the plan-making process.

18.4 Dacorum Core Strategy Policy CS18 (housing mix) states that:

“New housing development will provide a choice of homes. This will comprise:

- (a) a range of housing types, sizes and tenure;
- (b) housing for those with special needs; and
- (c) affordable housing in accordance with Policy CS19.

Decisions on the appropriate type of mix of homes within development proposals will be guided by strategic housing market assessments and housing needs surveys, and informed by other housing market intelligence and site-specific considerations.”

18.5 Policy CS19 (affordable housing) states that judgements about the level, mix and tenure of affordable homes will have regard to various factors, including the Council’s Housing Strategy, identified housing need and other relevant evidence.

18.6 The South West Hertfordshire Local Housing Needs Assessment (LHNA) sets out recommendations on the strategic mix of dwelling sizes for different types of housing. The following mix is suggested in Dacorum for the 2020-2036 period:

Table 18.1: Mix of dwelling sizes by tenure

Bedrooms	Social/affordable rented housing	Affordable home ownership	Open market housing
	%	%	%
1	30	25	5
2	35	40	20
3	25	25	45
4+	10	10	30

- 18.7 The recommended mix took account of the following points:
- Smaller properties (i.e. 1- bedroom homes) offer limited flexibility in accommodating the changing needs of households.
 - Larger family homes can help reduce waiting times for families who may be a higher priority and can result in the release of smaller properties for other households. The stock of 4-bedroom affordable homes is very limited and tends to have a low turnover.
- 18.8 The LHNA also advises that other evidence should be considered, including the Housing Register, although this should be monitored.
- 18.9 As a result of the Council’s revised Housing Allocations policy (May 2022) the proportion of households on Dacorum’s Housing Register looking for 1-bedroom homes is now lower than shown in the LHNA (Table 66). Whilst the number of applicants for 1-bedroom homes is still high, the need for larger properties is often accompanied by a greater degree of need.

The Council’s approach

- 18.10 Given the above, the Council is seeking an overall housing size mix broadly in line with the LHNA’s recommendations. The LHNA is currently being reviewed and its updated evidence and recommendations on the housing size mix for affordable housing will inform the finalised version of this SPD.
- 18.11 We will aim to avoid the over-provision of any one type of affordable housing and under-provision of others across the Borough. The evidence will be kept under review and the Council will amend the broad size mix, if justified by more up-to-date information.
- 18.12 The housing size mix will be negotiated by the Council on a site by site basis and will vary accordingly. The type and size of affordable homes sought will reflect the nature and location of the site and the type and size of open market housing proposed.
- 18.13 A general guide to the mix of affordable housing that the Council will seek on different types of sites is given below. Any proposals to depart from these guidelines should be discussed with the Council’s Strategic Housing team at an early stage in the development process.

Table 18.2: Affordable housing mix generally appropriate by type of site

Type of site	Affordable housing mix generally appropriate
100% Flats	1 and 2-bedroom flats.
100% houses	Usually houses (2, 3 and 4-bedrooms).
Mix of flats and houses	Mix of flats and houses, particularly on sites for 50+ homes.
Urban sites (medium or high density)	Usually flats. Townhouses may also be acceptable.
Suburban, village and greenfield sites	Usually houses. Flats may be acceptable, especially in or close to village and local centres.

- 18.14 The Council will also have regard to site specific guidance on housing mix in the Site Allocations Development Plan Document, development briefs and design codes.
- 18.15 The following points made earlier in this SPD should also be noted:
- First Homes: are likely to be mainly 1 and 2-bedrom flats (see paragraph 13.8).

- Shared ownership: a substantial proportion of 3-bedroom houses is preferred (see paragraph 14,11).

18.16 The Council cannot insist that the internal space standards referred to in paragraphs 18.2 and 18.3 are adhered to, because the need for them in Dacorum has not been justified through the plan-making process. However, we consider that there is a strong case to apply these standards in Dacorum. Therefore, the Council is proposing to include a policy to this effect in the new Local Plan. Meanwhile, the Council will request that new housing, including the affordable housing element, is built to these standards. Indeed, this is already happening with the Council's own housing developments.

18.17 The Council consider it good housing management practice to provide affordable housing that will accommodate the growing needs of households over a period of time, thus allowing them to stay in the family home longer. As such, the provision of homes which are designed to accommodate two adults in one bedroom and two children in each further bedroom is preferred. This is particularly so in the rented sector. 3 bed 5 person houses are acceptable in homes for affordable home ownership, as this makes them more affordable to first time buyers.

19. DESIGN AND LAYOUT OF AFFORDABLE HOUSING

Key guidance

Housing developments including affordable housing should comply with guidance from the Government and Homes England, the Council's planning policies and other relevant Council documents, including the Strategic Design Guide SPD.

As with all forms of housing, affordable housing should be built to a high standard of design and amenity. In particular, the Council will expect a tenure-neutral design approach so that it is not possible to distinguish between the affordable and open market housing.

Background information

- 19.1 Section 12 in the National Planning Policy Framework (NPPF) provides guidance on achieving well-designed places, but there is no specific mention of affordable housing.
- 19.2 The National Design Guide (see Appendix 1 for web link) provides more detailed advice. Paragraph 116 states that where different housing tenures are provided, they should be well-integrated and designed to the same high quality to create tenure neutral homes and spaces, where no tenure is disadvantaged. Paragraph 119 highlights ways in which good design can promote social inclusion.
- 19.3 Until October 2019, affordable housing schemes receiving grant funding had to comply with the 'Housing Design Quality Standards' document produced by the Homes and Communities Agency (now Homes England). This document has been withdrawn, but in June 2021 Homes England brought in the Building Research Establishment and the Design Council to help draw up new environmental and design standards for developments that it funds or procures.
- 19.4 The Council's main planning policies on design quality are the following Core Strategy policies:
- CS10 (quality of settlement design)
 - CS11 (quality of neighbourhood design)
 - CS12 (quality of site design)
 - CS13 (quality of the public realm)
- 19.5 Also, a number of policies relate at least partly to design and layout issues. The Core Strategy policies listed below are particularly relevant:
- CS6 (selected small villages in the Green Belt)
 - CS7 (rural area)
 - CS24 (the Chilterns Area of Outstanding Natural Beauty)
 - CS25 (landscape character)
 - CS26 (green infrastructure)
 - CS27 (quality of the historic environment)
 - CS28 (carbon emission reductions)
 - CS29 (sustainable design and construction)
- 19.6 The saved policies in the Environment section of the 2004 Local Plan are also relevant, including:

- Policy 99 (preservation of trees, hedgerows and woodlands)
- Policy 102 (sites of importance to nature conservation)
- Policy 111 (height of buildings)

19.7 In addition, the Council has produced a range of additional Planning Guidance and Advice Notes, some of which deal with design and layout matters:

[http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/supplementary-planning-documents-\(spds\)](http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/supplementary-planning-documents-(spds))

The most relevant documents are the:

- Strategic Design Guide Supplementary Planning Document (SPD) (February 2021)
- Parking Standards SPD (November 2020)

19.8 The Strategic Design Guide SPD aims to improve the quality of the design of new homes, estates and employment-use buildings in the Borough. The guide sets out a design process and principles for developers to follow when preparing their plans for new development. The approach aims to create distinctive, attractive and successful places to live and work that are adaptable for the future.

19.9 The Council has produced conservation area character appraisals for the following conservation areas (see Appendix 1 for web links):

Aldbury	Frithsden	Nettleden
Berkhamsted	Great Gaddesden	Tring
Bovingdon	Hemel Hempstead	
Chipperfield	Little Gaddesden	

The Council's approach

19.10 The Council will require proposed housing developments including affordable housing to comply with the NPPF, the National Design Guide and any future guidance from Homes England (for grant funded schemes). Relevant policies in the Core Strategy and the 2004 Local Plan should also be followed, as should the guidance in other documents produced by the Council, including the Strategic Design Guide SPD and conservation area character appraisals. Regard should also be had to any further relevant design guidance and design codes published by the Council.

19.11 On sites allocated for development in the Site Allocations Development Plan Document, the Council will require proposals to take into account the relevant planning requirements and any development brief or master plan.

19.12 As with all housing, affordable homes should be built to a high standard of design and amenity. In particular, the Council will expect a tenure-neutral design approach so that it is not possible to distinguish between the affordable and open market housing. Affordable housing should be built using the same materials, form and quality of design to ensure that it makes a positive contribution to local character and distinctiveness. This also applies to provision of parking which should be no different to that of market homes.

19.13 The design and layout of affordable housing should also take account of the guidance in the following sections:

- Section 20: distribution of affordable homes
- Section 21: accessible and adaptable homes
- Section 22: sustainable homes

20. DISTRIBUTION AND PHASING OF AFFORDABLE HOUSING

Key guidance

The Council will consider the distribution of social rented, affordable rented and shared ownership housing on a site by site basis. In particular:

- The affordable housing should be fully integrated into the overall scheme layout, with clusters proportionate to the size of each site or phase. Clusters should not usually exceed 20 dwellings.
- The affordable housing should be indistinguishable from the open market housing.
- There should be an appropriate degree of separation between nearby affordable housing clusters.

On larger sites which will be developed in phases, there should be between 25% and 50% affordable housing in each phase.

Background information

- 20.1 This section is concerned with the distribution of affordable housing across sites that are also providing open market housing. There is no Government guidance on the subject or any reference to it in the Dacorum Core Strategy.

The Council's approach

(a) Distribution

- 20.2 The distribution of affordable housing within a new development can affect the social sustainability of a community and residents' quality of life. Care should be taken to avoid placing any particular type of tenure in less desirable parts of the site, such as to disadvantage one group over another.
- 20.3 The Council will consider the distribution of social rented, affordable rented and shared ownership housing (but not First Homes or discounted market sales housing) on a site by site basis. We will apply the following general principles:
- The affordable housing should be fully integrated into the overall scheme layout, with clusters proportionate to the size of each site or phase. Clusters should not usually exceed 20 dwellings.
 - The affordable housing should be indistinguishable from the open market housing, be 'tenure blind' and use the same building materials and have the same form and external appearance as the market housing.
 - There should be an appropriate degree of separation between nearby affordable housing clusters. Separation should be provided by open market housing, open space or landscape features and the grouping of affordable housing in nearby existing schemes (as appropriate). A road or garden boundary is not usually considered adequate to separate clusters.

- This principle applies to each phase of sites that are being developed in phases.

20.4 The location of the affordable housing will also have implications for the future management and maintenance by the registered providers. Private sector developers are advised to consult with registered providers at the pre-application stage regarding the location of the affordable homes. The aim is to avoid any unintended negative consequences for the future management and maintenance of the new homes. For instance, a block of all one bedroom flats or mixed tenure could pose management issues and may not be approved.

(b) Phasing

20.5 On larger sites which will be developed in phases, the Council's requirement for 35% affordable housing (40% on the local allocations) should be achieved across the whole site on a cumulative basis.

20.6 The percentage of affordable housing in each phase will be dependent on the dwelling types, layout and numbers proposed. There should be a minimum of 25% and maximum of 50% affordable housing delivered in each phase. The Council will monitor actual numbers delivered in each phase to ensure that the overall affordable housing requirement is achieved.

21. ACCESSIBLE AND ADAPTABLE HOMES

Key guidance

In the light of the Building Regulations, Government guidance and local evidence, the Council's approach towards adaptable and accessible homes is as shown below:

Social rented and affordable housing, where the Council is responsible for Allocating or nominating a person to live in the housing	Require (unless not possible for viability or other reasons): <ul style="list-style-type: none"> • 100% of homes to M4(2) accessible and adaptable standards. • 10% to M4(3)(2)(b) wheelchair accessible standard. • Ground floor flats should have level access to a wetroom, with a shower instead of a bath.
Other housing schemes	Encourage: <ul style="list-style-type: none"> • 100% of homes to M4(2) standards; and • 5% of market homes to M4(3)(2)(a) wheelchair adaptable standards.

Background information

- 21.1 The Dacorum Core Strategy provides no guidance on accessible and adaptable homes. However, saved Policy 18 (the size of new dwellings) in the Dacorum Borough Local Plan 1991-2011 requires at least 10% of all dwellings on sites for 25 or more homes to be 'lifetime homes'. Such homes are readily accessible and usable by a disabled or elderly person, or are capable of adaptation for such use at minimal cost.
- 21.2 Lifetime homes standards have now been superseded by the following standards in Part M of the Building Regulations (access to and use of buildings):
- M4(1) Category 1: Visitable dwellings (the minimum standard that applies where no planning condition is given unless a plan sets a higher minimum requirement)
- M4(2) Category 2: Accessible and adaptable dwellings
- M4(3) Category 3: Wheelchair user dwellings
- 21.3 There are two separate standards under Category 3:
- M4(3)(2)(a): wheelchair adaptable – potential to be easily adapted for wheelchair user.
 - M4(3)(2)(b): wheelchair accessible – suitable for immediate occupation by wheelchair user.
- 21.4 The National Planning Policy Framework (NPPF) states in paragraph 63 that planning policies should take account of the housing needed by people with disabilities. Annex 2 (Glossary) defines 'people with disabilities' as follows:

“People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.”

- 21.5 The Planning Policy Guidance Note (PPG) on ‘Housing for older and disabled people’ provides guidance on accessible and adaptable housing (paragraphs 008 and 009). The guidance states that planning policies can set out the proportion of new housing that will be delivered to the M4 standards in the Building Regulations.
- 21.6 Paragraphs 005-012 in the PPG on ‘Housing: optional technical standards’ deal with accessibility and wheelchair housing standards. On M4(3) housing, paragraph 009 states that:
- “...Local Plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.”
- 21.7 Following the ‘Raising accessibility standards for new homes’ consultation paper, the Government announced in July 2022 its intention to amend the Building Regulations to make M4(2) the minimum standard for all new homes. M4(3) will continue as now where there is a local planning policy in place in which a need has been identified and evidenced. Local authorities will need to continue to tailor the supply of wheelchair user dwellings to local demand.
- 21.8 Based on the evidence of need, the South West Hertfordshire Local Housing Needs Assessment (paragraphs 7.64-7.90) suggested the level of provision shown in the table below. However, the LHNA emphasised that such provision may not be possible on some sites, for viability or reasons such as built form, topography and flooding. The different standards for M4(3)(2)(a) and M4(3)(2)(b) housing recognised the higher proportion of wheelchair users in affordable housing.

Table 21.1: Accessible and adaptable dwellings (LHNA recommendations)

Building Regulations standards	LHNA recommendations
M4(2) accessible and adaptable dwellings	All new homes should be compliant
M4(3)(2)(a) wheelchair adaptable dwellings	Up to 5% of market properties
M4(3)(2)(b) wheelchair accessible dwellings	Up to 10% of affordable homes

- 21.9 The LHNA is currently being reviewed and its updated evidence and recommendations on accessible and adaptable dwellings will inform the finalised version of this SPD.

The Council’s approach

- 21.10 The Council will consider what policy on accessible and adaptable homes should be included in the new Dacorum Local Plan. In the interim period, the Council’s approach is as shown in Table 21.2:

Table 21.2: Accessible and adaptable homes (the Council's approach)

Type of housing	The Council's approach
Social rented and affordable rented housing, where the Council is responsible for allocating or nominating a person to live in the housing	<p>Require 100% of homes to M4(2) standard and 10% to M4(3)(2)(b) standard, unless this is not possible for viability or other reasons (e.g. we may not require lifts in low rise maisonettes or small blocks of flats).</p> <p>Ground floor flats should have level access to a wetroom, with a shower instead of a bath.</p>
Other housing schemes	Encourage proposals to include 100% of homes to M4(2) standards and 5% of market homes to M4(3)(2)(a) standards.

22. SUSTAINABLE HOMES

Key guidance

Core Strategy policy states that new development will comply with the highest standards of sustainable design and construction possible.

Government guidance requires new development to be planned for in a way that reduces greenhouse gas emissions and minimises energy consumption.

New development in Dacorum should comply with the above. The Council will encourage higher levels of energy efficiency and sustainable design and construction than required by the Government.

Background information

- 22.1 Dacorum Core Strategy Policy CS29 (sustainable design and construction) states that new development will comply with the highest standards of sustainable design and construction possible. The policy sets out several principles that should normally be satisfied, including the need to plan to minimise carbon dioxide emissions and maximise the energy efficiency performance of the building fabric. Buildings will be designed to have a long life and adaptable internal layout. For example, their design should be 'future proofed', to enable retrofitting to meet tighter energy efficiency standards and connection to decentralised community heating systems.
- 22.2 Section 14 in the National Planning Policy Framework (NPPF) includes guidance on planning for climate change. In particular, paragraph 159 states that new development should be planned for in a way that reduces greenhouse gas emissions.
- 22.3 The Planning Policy Guidance Note (PPG) on 'Climate change' is concerned mainly with plan-making, but there is some guidance on considering planning applications, particularly paragraphs 004 and 005.
- 22.4 The Future Homes and Buildings Standard is a set of standards that will complement Parts F and L of the Building Regulations to ensure new homes built from 2025 will produce 75-80% less carbon emissions than homes delivered under current regulations. As an interim measure, the Government introduced major Building Regulations changes from June 2022, one of which is that new homes in England will have to produce around 30% less carbon emissions.

The Council's approach

- 22.5 New development in Dacorum should comply with Policy CS29 and the Government guidance. In all new homes, the Council will encourage developers to achieve higher levels of energy efficiency and sustainable design and construction than required by the Government. This is an approach already followed by the Council in its own housing developments.

PART 5: CONSIDERING PLANNING APPLICATIONS



New Council homes at Corn Hill Court, High Street, Berkhamsted

23. SUBMITTING A PLANNING APPLICATION

Key guidance

The Council encourages the submission of a wide range of information on affordable housing at the pre-application stage. This should include a draft schedule of accommodation, covering matters such as the number of affordable homes and the tenures and housing size mix of the affordable housing.

Any information on affordable housing not provided at the pre-application stage should be included in the outline or full planning application.

An 'Affordable Housing Plan' should be submitted with outline and full planning applications, to help the Council assess the proposals against our affordable housing policies and this SPD.

Background information

23.1 Section 4 in the National Planning Policy Framework contains high level guidance on decision-taking. Key points in paragraphs 39-46 on pre-application engagement and front-loading are that:

- Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties.

- Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage.
- The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits.
- Applicants and local planning authorities should consider the potential for voluntary planning performance agreements, particularly for large or complex proposals.

23.2 Further guidance is provided by the Planning Practice Guidance notes on 'Before submitting an application' and 'Making an application'. The former includes guidance on planning performance agreements and the latter explains the two main types of planning applications:

- Outline applications, which deal with the general principles of development on a site. Outline planning permission is granted subject to conditions requiring the subsequent approval of 'reserved matters'.
- Full applications, which put forward detailed proposals for the development of a site.

The Council's approach

23.3 Applicants are advised to seek pre-application planning advice to discuss all aspects of the planning proposal, including the affordable housing requirement. The Council's pre-application advice service offers advice from a qualified planning officer and a written report, before a planning application is submitted. Further information is available via the following link:

<https://www.dacorum.gov.uk/home/planning-development/planning-applications/pre-application-advice>

23.4 Informal discussions with the Council's Strategic Housing Team regarding affordable housing proposals are also encouraged at an early stage in the planning process.

23.5 Applicants are advised to submit as much information as possible at the pre-application stage, especially with major developments. The Council encourages the use of planning performance agreements for large and/or complex applications. Such agreements should cover the pre-application and application stages, but may also extend to the post-application stage.

23.6 A draft schedule of accommodation should be submitted at the pre-application stage. This should contain the following information:

- The number of affordable homes and the percentage of affordable housing to be provided (see section 7).
- Tenures of the affordable housing, such as affordable rent, First Homes and shared ownership (sections 9-15).
- The housing size mix of the affordable housing (section 18) and the floorspace, room size and the number of persons per each type of unit.
- A site plan, showing the distribution of affordable housing across the site (section 20).
- The proportion of the affordable homes to be built to standards for accessible and adaptable homes (section 21) and the location of these homes.

23.7 The following matters should also be addressed at the pre-application stage:

- The justification for any suggestion that vacant building credit should reduce the amount of affordable housing required (section 24).

- A viability assessment, if the applicant considers that the Council's affordable housing requirements would make a development unviable (section 25).
- The justification for any proposal to provide the affordable housing off-site or via a financial contribution in lieu of on-site provision (section 26).
- The heads of terms of the Section 106 Agreement that will be required to ensure delivery of the affordable housing (section 27). The agreement must be completed before planning permission is issued.
- The proposed or potential registered provider(s), who should be involved in the pre-application discussions (section 28).

23.8 Community engagement should be carried out by the developer at the pre-application stage, if necessary to comply with the Council's Statement of Community Involvement:

<http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/statement-of-community-involvement>

23.9 Any necessary information on affordable housing not provided at the pre-application stage should be included in the outline or full planning application. Reserved matters applications should confirm the affordable housing mix and their location. The mix should broadly reflect that proposed in the outline application, unless the reserved matters application proposes a significant change to overall dwelling types and sizes.

23.10 Upon submission of a qualifying planning application, the Council will expect to be provided with an 'Affordable Housing Plan', showing:

- The location of affordable homes.
- The tenure of affordable homes.
- The location and tenure for accessible and adaptable homes (section 21). This would normally be illustrated on a layout plan at a scale of 1:1250.

23.11 For outline or major developments, the Council may also request a phasing plan showing how development is likely to be implemented and the timetable for the delivery of affordable homes within the scheme.

23.12 The affordable housing plan should be updated during the course of the planning application to reflect any changes in the number, location or tenure of affordable homes. The affordable housing plan is unlikely to be subject to a planning condition, but will inform the content of any associated Section 106 Agreement (see Table 27.1) and may form a Schedule thereto.

23.13 Planning permissions including affordable housing will be subject to a planning obligation requiring developers to tell the Council when affordable homes are completed and transferred to registered providers, together with details such as:

- Address
- Unique property reference number (UPRN)
- Affordable housing tenure
- Number of bedrooms
- Floorspace
- The price paid by the registered provider

23.14 This information will be required either when a development is completed, or in stages as set out in the Section 106 agreement.

23.15 Such information is also vital to help the Council monitor the overall supply of affordable homes in the Borough (see section 29).

24. VACANT BUILDING CREDIT

Key guidance

Government guidance states that where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount, subject to certain provisos.

The Council's methodology to calculate vacant building credit is based on this guidance.

Background information

24.1 Paragraph 65 in the National Planning Policy Framework (NPPF) states that:

“...To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount³⁰.

³⁰ Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned.”

24.2 The following more detailed explanation of ‘vacant building credit’ is provided by paragraph 026 in the Planning Practice Guidance note (PPG) on ‘Planning Obligations’:

“National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.”

24.3 Paragraphs 027 and 028 in the PPG provide further relevant guidance. For example, in deciding whether a use has been abandoned, it may be appropriate to consider:

- whether the building has been made vacant for the sole purposes of re-development
- whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development

The Council's approach

24.4 The application of vacant building credit in Dacorum will be guided by the NPPF and PPG. In dealing with planning applications, we will reach a decision on whether vacant building credit can be claimed before considering viability issues relating to the provision of affordable housing (see section 25).

24.5 To demonstrate that a building has not been made vacant for the sole purpose of redevelopment, an applicant must show that the buildings they are claiming the credit for have been vacant for at least three years before the submission of the application. Evidence will also be needed to prove that the site has been actively marketed for at least one of those years at a realistic price.

24.6 Based on the guidance in paragraph 027 of the PPG, the Council will use the following methodology to calculate vacant building credit:

Step 1 - Calculate the number of affordable homes required (35% of total homes proposed on most sites).

Step 2 - Calculate, as a proportion, the extent of existing floorspace to be demolished or reused against the proposed floorspace. The calculation should be based on the gross internal area as set out in the CIL Regulations 2021. Gross internal floorspace should be calculated in accordance with the RICS Code of Measuring Practice. Such information will normally be reflected in the CIL Additional Information form.

Step 3 – Reduce the number of affordable homes to be provided, based on the proportion identified at step 2. This will be calculated as per the worked example below:

Table 24.1: Calculating vacant building credit

Total gross homes proposed	50
Normal affordable housing requirement	18 homes (i.e. 35% of 50)
Existing floorspace to be demolished	1,000 sq. metres
Proposed floorspace to be created	5,000 sq. metres
Revised affordable housing requirement after applying vacant building credit	$18 - ((18 \times 1,000) \div 5,000) = 18 - 4 = 14$ homes

24.7 It should be noted that:

- If the total floorspace of existing buildings to be demolished or reused is equal to or exceeds the total floorspace created, then no affordable housing is required.
- If affordable housing provision is in the form of a commuted sum, the revised affordable homes figure will be translated into a financial contribution (see section 26)

25. VIABILITY

Key guidance

Government guidance states that the role for viability assessment is primarily at the plan making stage. It is up to the applicant to demonstrate that a viability assessment is needed at the application stage.

Any concerns an applicant has about viability should be discussed with the Council as early as possible in the development process. Should an agreement not be reached, a viability assessment will be required.

Viability assessments should accord with Government guidance and reflect best practice guidance.

The Council will seek review mechanisms where it would not be viable to comply with our affordable housing policies when planning permission is granted, but where it may become so during the course of the development.

Background information

- 25.1 Dacorum Core Strategy Policy CS19 (affordable housing) states that judgements about the level, mix and tenure of affordable homes will have regard to various factors, including the overall viability of the scheme and any abnormal costs.
- 25.2 Paragraph 58 in the National Planning Policy Framework gives overall guidance on viability. It is up to the applicant to demonstrate that a viability assessment is needed at the application stage. The purpose of a viability assessment is show whether the level, mix and tenure of affordable housing needed to comply with Policy CS19 and this SPD would make a development unviable. All viability assessments should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.
- 25.3 The Planning Policy Guidance (PPG) on 'Viability' sets out key principles in understanding viability in plan making and decision taking. The following points are particularly relevant to decision taking:
- It is up to the applicant to demonstrate that a viability assessment is needed at the application stage. For example, with non-standard types of development for sale, such as build to rent or housing for older people (paragraph 007).
 - Viability assessments should be based on the viability assessment that informed the plan. The applicant should provide evidence of what has changed since then (paragraph 008).
 - Where contributions are reduced below policy requirements to provide flexibility in the early stages of a development, review mechanisms may be used by local authorities to seek compliance with policies over the project's lifetime (paragraph 009).
 - Viability assessments should follow the Government's recommended approach to assessing viability as set out in the PPG (paragraphs 010-019). With viability assessments to inform decision making, the price paid for land is no justification for failing to accord with the plan's policies.

The Council's approach

- 25.4 As stated in the PPG, it is up to the applicant to demonstrate that a viability assessment is needed at the application stage. Land values are high in Dacorum and we would anticipate that there will be only limited circumstances where viability testing at the planning application stage is necessary.
- 25.5 Nevertheless, the Council recognises that there will be occasions where the affordable housing requirements may have to be reduced or waived in order to make a development viable. Indeed, this SPD draws attention to types of development where viability may be an issue:
- Following the introduction of First Homes and given the Council's wish to ensure that affordable rented housing is genuinely affordable (see paragraphs 7.9 and 7.10).
 - With extra care housing schemes (see paragraph 16.23).
 - With rural exception and First Homes exception sites, if a small element of market housing is necessary to make a scheme viable (see point 5 in Table 17.1).
- 25.6 If an applicant considers that viability is an issue, they must demonstrate why a site should not include affordable housing provision in line with the Council's targets. Our Strategic Housing officers are happy to meet applicants early in the development process, to discuss 'valid' viability concerns and potentially negotiate and review the affordable housing percentage and tenure mix. Should an agreement not be reached, a viability assessment will be required.
- 25.7 The assessment should be outsourced to an independent third party at the developer's cost. It should be submitted as soon as possible during the Council's consideration of a planning application. This will enable us to assess at the earliest opportunity, the optimum affordable housing mix which is economically viable on the site. However, the assessment may have to be revised later in the process, when the application is close to being determined.
- 25.8 Viability assessments in support of planning applications should accord with paragraphs 010-019 in the PPG on 'Viability'. Assessments must be 'open book' financial appraisals of development. They should also reflect best practice guidance, such as the RICS guidance note on 'Assessing viability in planning under the National Planning Policy Framework 2019 for England' (March 2021), or any updates to it:
- https://www.rics.org/globalassets/rics-website/media/upholding-professional-standards/sector-standards/land/assessing-financial-viability_final.pdf
- 25.9 Assessments should consider different options which might improve economic viability. For example, different mixes of tenure, unit type and size, and phasing.
- 25.10 The PPG on 'Viability' states that the Community Infrastructure Levy (CIL) charge should be taken into account in viability assessments. Information on CIL charges in Dacorum can be found at:
- [http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/developer-contributions/community-infrastructure-levy-\(cil\)](http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/developer-contributions/community-infrastructure-levy-(cil))
- 25.11 In line with the NPPF and paragraph 021 in the 'Viability' PPG, any viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstances.

- 25.12 All schemes are expected to maximise the delivery of genuinely affordable housing and make the most efficient use of available resources to achieve this objective. Where grant or other public subsidy is available, and would with the co-operation of a registered provider increase the proportion of affordable housing, this should be utilised. The higher proportion of affordable housing should be set out in the Section 106 agreement as being subject to grant availability, alongside the proportion viable without grant. This would be pursuant to any further delivery achievable following viability review.
- 25.13 Paragraph 009 in the PPG on 'Viability' allows for review mechanisms in certain circumstances (see paragraph 25.3 above). Dacorum's planning policies do not refer to review mechanisms. However, in allowing an appeal decision in Hove (appeal ref: APP/Q1445/W/20/3265732), the Inspector included a review mechanism even though Hove's Policy CP20 makes no express provision for such an approach. Therefore, Dacorum will seek review mechanisms where it would not be viable to comply with the Council's affordable housing policies when planning permission is granted, but where it may become so during the course of the development.
- 25.14 The Council has reviewed best practice on review mechanisms and will follow the approach set out in The London Plan (Policy H5: Threshold approaches to applications). In instances where meeting affordable housing requirements has been demonstrated as unviable, the Council will normally require a viability review mechanism to be inserted into the Section 106 Agreement (see section 27).
- 25.15 Review mechanisms consider the impact of time and the changing financial/development environment upon the viability of policy compliant affordable housing provision. The following triggers may be imposed upon the permission:
- If significant progress has not been made on site two years after full permission has been granted.
 - On all phased schemes prior to 75% occupation of any new phase and/or building.
 - Upon completion of all works.
 - Upon or prior to 75% occupation of the development/phase.
- 25.16 Significant progress is defined as completed all ground works, foundations and slab base of the development/phase. This is not fixed, and dependent on the scale of development and the scheme's deviation from policy, may be subject to negotiation should site specific circumstances require.
- 25.17 The review will consider the previous assumptions made within the viability assessment at planning application stage, under the new financial/development environment at the time of the review. The aim will be to increase affordable housing provision and potentially meet the affordable housing policy requirements and deliver maximum community benefit on-site, making the application more acceptable in planning terms. Alternatively, if not possible on site, a financial contribution made to the Council in lieu of on-site provision may be acceptable if robustly justified (see section 26).
- 25.18 Where appropriate, post-delivery review mechanisms will be favoured as this provides the Council with actual as opposed to estimated costs, which should help realise greater affordable housing contributions. A post-delivery review may be triggered upon completion of all works, or upon 75% occupation of a development/ phase. This is most likely to be required where permissions have, for viability reasons, failed to deliver satisfactory levels of affordable housing.
- 25.19 The developer will fund the costs of independent viability review at the stage of the planning application and review mechanism.

26. OFF-SITE AFFORDABLE HOUSING PROVISION OR FINANCIAL CONTRIBUTION

Key guidance

Affordable housing should be provided on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified.

Off-site provision or a financial contribution may be acceptable in certain other circumstances at the Council's discretion.

Off-site provision will be accepted only if developers are able to deliver the affordable housing on a suitable site elsewhere.

The financial contribution should be at least broadly equivalent to the cost of re-providing the land for affordable housing on another site.

Background information

- 26.1 Dacorum Core Strategy Policy CS19 (affordable housing) states that affordable housing will be sought on sites above the site size thresholds specified. It adds that a financial contribution will be sought in lieu of affordable housing on sites which fall below these thresholds.
- 26.2 The National Planning Policy Framework (NPPF) states in paragraph 64 that:
- “Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:
- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
 - b) the agreed approach contributes to the objective of creating mixed and balanced communities.”

The Council's approach

- 26.3 Points (i)-(iv) below outline the Council's approach towards proposals for off-site provision of affordable housing or a financial contribution in lieu of on-site provision.
- 26.4 The Council will normally expect affordable housing to be provided on site, in accordance with Government guidance and Core Strategy Policy CS19. However, we recognise that in certain circumstances it will be appropriate for the Council to accept off-site provision, or if this is not achievable a financial contribution in lieu of on-site provision. Financial contributions will be used by the Council to provide suitable affordable housing elsewhere in the Borough.
- 26.5 Our overall approach will reflect the recent guidance in the NPPF, rather than Core Strategy Policy CS19. As stated in paragraph 23.7, the justification for any proposal to provide the affordable housing via off-site provision or a financial contribution should preferably be submitted at the pre-application stage and revisited at the planning application stage and again when the application is close to being determined.

(ii) Circumstances in which off-site provision or a financial contribution may be accepted

- 26.6 The Council may accept off-site provision of affordable housing or a financial contribution on retirement and extra care housing schemes (see paragraphs 16.17 and 16.23).
- 26.7 Other circumstances where the Council, at its discretion, may be willing to accept off-site provision or a financial contribution for at least part of the affordable housing include where:
- The Council is satisfied that providing affordable housing on-site would not be viable.
 - On-site provision would result in a small number of affordable homes and it is clear that it would not be practical or viable for transfer to a registered provider.
 - There is a demonstrable lack of interest from registered providers to purchase the affordable homes.
 - The site is not in a sustainable location, particularly in relation to access to key facilities, such as schools, shops, medical facilities, job opportunities and public transport.
 - Housing need could be better met in an alternative location, for example if flats are proposed where there is a need for family housing.
 - The Council considers that an off-site contribution could enable the delivery of a better affordable housing solution, for example by funding the regeneration of existing affordable housing stock.
- 26.8 The marketability of the private housing is not regarded by the Council as a factor that would justify off-site provision of affordable housing or a financial contribution.

(iii) Off-site provision

- 26.9 Off-site provision of affordable housing will be accepted only if developers can show that they are in a position to deliver the affordable housing on a suitable site elsewhere. The development of the two sites will be linked through a Section 106 agreement to ensure that the affordable housing is actually delivered in a timely manner.
- 26.10 The Council's normal affordable housing requirements must be met across the two sites. For example, if a total of 200 homes are proposed and 35% affordable housing is required, it means that 70 affordable homes should be provided on one of the sites.

(iv) Calculating financial contributions

- 26.11 The sum required for a financial contribution is based on the principle that replacing on-site affordable housing provision with a payment in lieu should be financially neutral for the developer. The financial contribution should be at least broadly equivalent to the cost of re-providing the land for affordable housing on another local site. In other words, the contribution should be no less than the level of developer subsidy that would have been necessary to meet the affordable housing policy requirements on-site.
- 26.12 Therefore, the Council's method used to calculate a financial contribution does not look to the residual value of a development, but to the land value and the number of homes proposed. The land value should be appraised by an independent Royal Institute of Chartered Surveyors (RICS) qualified surveyor, on the basis that the site is serviceable and there is no affordable housing contribution to be made or financial contribution payable.
- 26.13 Our method is illustrated below, using a worked example:

Table 26.1: Calculating financial contributions (worked example)

Total number of homes proposed	20
Affordable housing percentage	35%
Number of affordable homes required	7 (i.e. 35% of 20)
Total land value	£4,000,000
Land value per unit	£200,000 (i.e. £4,000,000 ÷ 20)
Financial contribution required	£1,400,000 (i.e. £200,000 x 7)

- 26.14 If the financial contribution cannot be agreed, the fall-back position for the developer is to submit a full open-book viability assessment (see section 25), which may result in a higher or lower affordable housing contribution.
- 26.15 The Council intends to review its method of calculating financial contributions. This may lead to a revised method being included in the finalised version of this SPD.

(v) Management of fund by the Council

- 26.16 Financial contributions received from developers will be pooled in a specific affordable housing fund, to support the Housing Capital Programme for the provision of new affordable homes anywhere within Dacorum. The Council envisages that the financial contributions will be spent on building affordable homes on Council owned land, or via the purchase of land on the open market. Alternatively, the Council may use some of the money collected to give grants to registered providers to build new affordable homes in the Borough.
- 26.17 The Council's Strategic Housing Team will administer the fund and identify development opportunities and appropriate schemes in accordance with the Council's procedures on capital projects. The accounting for the funding will be undertaken by the Section 106 planning monitoring officer.

(vi) Indexation of the fund

- 26.18 Financial contributions will be subject to indexation, using Building Cost Information Service (BCIS) mean averages for Hertfordshire or such other indexation that may be agreed between the Council and the applicant. Indexation will commence from the date that planning permission is granted following completion of a Section 106 agreement.
- 26.19 The applicant should notify the Council's Section 106 planning monitoring officer when the development commences or the trigger for payment/delivery has been reached. This is the most cost effective method for developers as late notification to us will incur penalties. On receipt of the notification, the Council will issue an invoice for the amount payable including any indexation.
- 26.20 The Council will monitor building control and other sources and will issue an invoice if the applicant fails to advise the Council that the payment has been triggered. Indexation applies until the date of the invoice, so in these circumstances the amount may be higher than if the applicant had advised the Council when the payment was triggered. Penalty interest is payable on unpaid contributions and accrues from the date payment is triggered to the date of actual payment.

27. SECTION 106 AGREEMENTS

Key guidance

The Council will secure affordable housing requirements through a Section 106 agreement or unilateral undertaking.

The heads of terms of the Section 106 agreement should be considered at the pre-application stage and the agreement must be completed before planning permission is issued.

The Council has produced a draft S106 model agreement, which includes standard clauses to secure the provision of affordable housing. However, each agreement will be drawn up on a case by case basis.

With some types of affordable housing, a bespoke S106 agreement based on the model agreement will be needed.

Background information

- 27.1 Dacorum Core Strategy Policy CS35 (infrastructure and developer contributions) gives general guidance on planning obligations, but does not mention affordable housing.
- 27.2 Planning obligations are legal obligations entered into to mitigate the impacts of a development proposal. This can be via a planning agreement entered into under Section 106 of the Town and Country Planning Act 1990 by a person with an interest in the land and the local planning authority; or via a unilateral undertaking entered into by the landowner without the local planning authority. Paragraphs 55 and 57 in the National Planning Policy Framework provide high level guidance on planning obligations.
- 27.3 The Planning Practice Guidance (PPG) on 'Planning obligations' provides more detailed guidance. However, the references to affordable housing relate to matters such as the site size thresholds for seeking affordable housing and vacant building credit, which are considered elsewhere in this SPD.
- 27.4 The PPG on 'First Homes' covers a number of matters that should be taken into account in S106 agreements on developments that include First Homes. In particular:
- The landowner should enter into a S106 agreement to secure the delivery of the First Homes. The S106 agreement should also ensure that the 30% price discount and certain other legal restrictions are applied to the property at each future sale. The Government has published template planning obligations for this purpose (paragraphs 001-003).
 - When a First Home is resold, the seller should secure a valuation from a registered valuer acting in an independent capacity (paragraph 006).
 - The national eligibility criteria for First Homes should apply to future sales of a First Home (paragraph 007).
 - Any local eligibility criteria applied by the local authority should be included in the S106 agreement. If a suitable buyer has not reserved a home after three months, the eligibility criteria will revert to the national criteria (paragraph 008).

- A Mortgagee Exclusion Clause should be present in planning obligations securing First Homes, to protect lenders and encourage competitive lending rates (paragraph 010).
- Agreements should not prevent First Homes from being sold for a long period if a suitable buyer cannot be found, even following removal of local restrictions. Therefore, the agreement may allow a First Home to be sold on the open market and the removal of the title restriction, if certain conditions are met (paragraph 011).
- The requirement for at least 25% of the affordable homes should be secured through the S106 agreement. An agreement is also required where cash contributions for affordable housing are secured instead of on-site units (paragraph 012).
- First Homes are eligible for mandatory social housing relief from the Community Infrastructure Levy (see section 23), if a planning obligation is entered into to ensure that the first and subsequent sales of the dwelling are for no more than 70% of market value (paragraph 016).

27.5 The Government has confirmed that shared ownership homes delivered through Section 106 agreements should be based on the standard model in the 'New Model for Shared Ownership: technical consultation' (see paragraph 14.6).

27.6 In December 2021, the Government published 'First Homes – Section 106 Provisions', the template planning obligations for First Homes:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1043248/First_Home_model_s106_for_delivery_through_planning_system.pdf

27.7 The model clauses in the template are for use by local authorities and home builders in preparing S106 agreements that deliver First Homes through developer contributions, including First Homes exception sites.

The Council's approach

27.8 The Council will secure affordable housing requirements through a S106 agreement or unilateral undertaking (only with a financial contribution in lieu of on-site provision). The agreement is made by deed between the landowner(s), the developer (if different), Dacorum Borough Council and Hertfordshire County Council (only if there are specific obligations to them e.g. education, highways). Where affordable housing is being secured by S106, the Council's Solicitor will produce the first draft and the applicant will be required to pay the Council's legal and administrative costs incurred in negotiating and completing the deed.

27.9 As stated in paragraph 23.7, the heads of terms of the Section 106 agreement should be considered at the pre-application stage. The agreement must be completed before planning permission is issued.

27.10 The Council has produced a draft S106 model agreement, which includes standard clauses to secure the provision of affordable housing. However, each agreement will be drawn up on a case by case basis. The draft model agreement takes account of the Government's template planning obligations for First Homes (see paragraph 27.6) and section 13 in this SPD.

27.11 The draft model agreement applies to the main types of affordable housing (social rent, affordable rent, First Homes and shared ownership). Bespoke agreements will be required for other types of affordable housing (see paragraph 27.15).

27.12 Paragraph 5.1 in the draft model agreement requires all financial contributions payable to the Council to be index linked. Schedule 2 relates to affordable housing and the key points are summarised below:

Table 27.1: Summary of Schedule 2 (affordable housing) in the Council's draft S106 model agreement

Paragraph	Summary of key points
Part 1	
1 and 5	The affordable housing units must be used only for affordable housing.
2	<p>The development shall not start until the Council has approved a scheme ("the Scheme") for the provision and long term management of the affordable housing.</p> <p>The Scheme shall cover the requirements in the Schedule and the matters in paragraph 2, including:</p> <ul style="list-style-type: none"> • The phasing for the construction and transfer of the affordable housing to a registered provider, including a plan ("the Affordable Housing Phasing Plan"). • The price (unless previously agreed) for granting a lease or freehold transfer of the affordable housing to a registered provider. • The size (number of bedrooms) and tenure of the affordable homes.
4	<p>(a) and (b) Restrictions will be placed on the proportion of open market units that can be occupied in any phase until at least the stated percentage of:</p> <ul style="list-style-type: none"> • Affordable housing units have been completed and transferred to a registered provider; and • First Homes have been completed and marketed. <p>(c) A nominations agreement must be completed, securing nomination rights to the Council for the affordable homes for rent.</p>
6	This paragraph deals with the sale of affordable housing units if there is a default on the mortgage or a charge.
Part 2	First Homes
7	Quantum of First Homes: x homes shall be provided and retained in perpetuity as First Homes, subject to Part 2 of the schedule.
8	Clustering: clusters of affordable houses and flats should not exceed the limits stated in the agreement.

9	Type and distribution: the mix of First Homes shall accord with the Affordable Housing mix and the distribution in the Affordable Housing Plan (see paragraph 23.10).
10	Development standard: First Homes shall be constructed to the Development Standard (as defined on pages 4 and 5 of the draft model agreement) and no less than the standard for the market housing.
11	Delivery mechanism: this clause deals with various matters, including: <ul style="list-style-type: none"> • The national and local eligibility criteria for First Homes. • The marketing of First Homes. • The disposal of First Homes if no suitable purchasers can be found.
12	Each First Home shall be used only as the main residence of the First Homes owner, subject to certain provisos.

27.13 Developers should provide the Council with a schedule, providing information (see paragraph 23.13 of how each obligation set out in the S106 agreement has been met. The Council can then assess whether we agree and that it can be marked off as fulfilled. This information will be required either when a development is completed, or in stages as set out in the Section 106 agreement.

27.14 With some types of affordable housing, a bespoke S106 agreement based on the model agreement will be needed, as shown below:

Table 27.2: Types of housing requiring a bespoke S106 agreement

Type of housing	Key requirements in S106 agreement	Guidance elsewhere in SPD
Affordable private rent in build to rent schemes	<ul style="list-style-type: none"> • Rents to remain at least 20% below market rents for future eligible households, or the subsidy recycled for alternative affordable housing provision. • The process for managing affordable private rent units and requirement for an annual statement on these homes. • A mechanism to recoup ('clawback') the value of the affordable housing provision that is withdrawn if affordable private rent homes are converted to another tenure. • Eligibility criteria for the affordable private rent homes. <p>Note: see the PPG on 'Build to rent' for further guidance on S106 agreements in relation to affordable private rent homes.</p>	Paragraph 12.4

Rent to buy	<ul style="list-style-type: none"> • Ensure such housing constitutes affordable housing. • Provide nomination and sales rights to the Council. 	Paragraph 15.7
Rural exceptions sites and First Homes exception sites	<ul style="list-style-type: none"> • Restrict the housing in perpetuity to people with a strong local connection. • Include a cascade of secondary parishes, if there are insufficient people coming forward from the main parish. 	Point 2 in Table 17.1
Financial contribution in lieu of on-site affordable housing provision	<ul style="list-style-type: none"> • Secure the financial contribution. • Accounting for the pooled affordable housing fund. 	Paragraphs 26.4 and 26.17
Off-site provision of affordable housing	<ul style="list-style-type: none"> • Ensure delivery of the affordable housing in a timely manner. 	Paragraph 26.9

PART 6: OTHER CONSIDERATIONS

[Insert additional photo.]

28. FUNDING, REGISTERED PROVIDERS AND COMMUNITY INFRASTRUCTURE LEVY RELIEF

Key guidance

Funding

Homes England provides grant funding to support the capital costs of developing affordable housing for rent or sale in certain circumstances.

Registered providers and partnership working

The Council works with registered providers and the private sector to maximise affordable housing development in Dacorum. Registered providers are best placed to manage most affordable housing developments.

Developers should have a registered provider on board early in the development process.

Community Infrastructure Levy relief

Community Infrastructure Levy (CIL) liability may be reduced for developments containing social rented housing that meets the criteria in the CIL regulations.

Funding of affordable housing

- 28.1 Homes England's Affordable Homes Programme provides grant funding to support the capital costs of developing affordable housing for rent or sale. Grants from Homes England will not generally be available for affordable housing required via Section 106 agreements. However, grant funding may be available if a registered provider proposes a higher percentage of affordable housing than required by the Council in Core Strategy Policy CS19.
- 28.2 Homes England's Capital Funding Guide (CFG) contains the rules and procedures for all providers delivering affordable housing through one of the affordable homes programmes:
- <https://www.gov.uk/guidance/capital-funding-guide>
- 28.3 The following chapters in the CFG are particularly relevant:
- Chapter 1: Shared ownership
 - Chapter 2: Rent to buy
 - Chapter 3: Specialist housing (including housing for older people)
 - Chapter 4: Homes for rent (including affordable rent and social rent)
- 28.4 Further information on Homes England grant funding for shared ownership and buy to rent housing is provided in paragraphs 14.7, 15.3 and 15.4.

Registered providers and partnership working

- 28.5 Registered providers are local authorities or bodies such as housing associations which are entered on the Regulator of Social Housing's Register (see definition in Appendix 2). The Council puts significant resources into delivering affordable housing and is committed to working with registered providers and the private sector to maximise the development of affordable homes in Dacorum.
- 28.6 Registered providers are best placed to manage most affordable housing developments. The only exceptions are the Council's own housing schemes and build to rent schemes, which will typically be professionally managed stock in single ownership and management control (see 'build to rent' definition in Appendix 2). Private developers are, therefore, encouraged to work closely with registered providers to deliver affordable housing and ensure the new homes are managed effectively. As stated in paragraph 10.7, the Council may encourage registered providers to build social rented housing on some developments in the future.
- 28.7 The Council is not prescribing which registered providers should deliver affordable housing in Dacorum, although housing associations are likely to be involved in most developments. Only organisations that are registered with the Regulator of Social Housing, including 'for profit' organisations, are accepted as being registered providers. The Council will actively work in partnership with a range of registered providers, who can demonstrate high quality management services and housing delivery. We are keen to work with providers who are aligned with our policy on affordability (see section 11) and meet the needs of our residents.
- 28.8 Developers are strongly encouraged to have a registered provider on board early in the development process. At the very least applicants should be engaging with a provider before starting pre-application discussions with the Council. The developer should secure a commitment from the registered provider for the affordable housing provision at an agreed purchase price. This enables the registered provider to input into the design and development of the scheme and ensures timely delivery of the affordable housing. Any concerns should be resolved by practical design and appropriate and reasonable lettings arrangements.
- 28.9 Registered providers that wish to develop in Dacorum should have a management service within a reasonable distance of the Borough. This will ensure that repairs and maintenance can be carried out effectively. Providers should levy fair and affordable service charges on affordable housing. These should not affect the affordability of the property to households on the waiting lists.

Community Infrastructure Levy relief

- 28.10 The Community Infrastructure (CIL) liability may be reduced for developments where social housing is present and meets the criteria stated in Regulation 49 of the Community Infrastructure Levy Regulations 2010 (as amended). Further information on social housing relief can be found in paragraphs 065-075 of the Planning Practice Guidance (PPG) on the Community Infrastructure Levy.
- 28.11 Social housing relief is a mandatory discount that can be applied to most affordable housing provided by a local authority or registered provider and shared ownership dwellings. This includes social rented, affordable rented and rent to buy housing. Subject to meeting specific conditions, it can also apply to discounted rental properties provided by other bodies.
- 28.12 Mandatory social housing relief can also apply to First Homes. A planning obligation must be entered into to ensure the first and subsequent sales of the dwelling are for no more than 70% of market value. Similar guidance is set out in paragraph 016 of the PPG on 'First Homes'.

29. MONITORING AND REVIEW

Key guidance

The Council will monitor and keep under review this Affordable Housing SPD to ensure the delivery of affordable homes.

Information on the delivery of affordable housing is reported annually in the Authority Monitoring Report.

If necessary this SPD will be updated, but it will be replaced by a new SPD when the Council adopts the new Local Plan.

- 29.1 The Council will monitor and keep under review this Affordable Housing SPD to ensure the delivery of affordable homes. The number of affordable homes will be reported annually in the Authority Monitoring Report (AMR), prepared by the Strategic Planning team. This document is made publicly available on the Council's website.
- 29.2 The AMR 2019/20 contains information on affordable housing completions, in paragraphs 7.8-7.10, Appendix 5 and the AMR Technical Appendix (Tables 7.8 and 7.9). Information is provided on completions of affordable homes since 2006, including completions of different types of affordable housing such as social rented, affordable rented and shared ownership housing:
- <http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/monitoring-reports-and-land-position-statements>
- 29.3 In the future, the Council intends to provide more information on affordable housing in the AMR. For example, the aim is to add information on the housing size mix (number of bedrooms) in affordable housing and data on commitments for new affordable housing (i.e. sites with planning permission or under construction) as well as completions.
- 29.4 The Council is also working on arrangements across its Planning, Infrastructure and Housing teams to improve the tracking of progress on affordable housing developments, from the planning application stage through to the occupation of completed homes. This will include information on the matters stated in paragraph 23.13 and draw on the Infrastructure team's monitoring of S106 agreements involving affordable housing (see paragraph 27.15). Furthermore, the Council is seeking to co-ordinate and improve its monitoring processes.
- 29.5 This SPD will be kept under review and where necessary updated, for example, to reflect changes to Government guidance and evidence on housing need and the housing market in Dacorum. As stated in paragraph 1.8, this SPD will be replaced by a new SPD when the Council adopts the new Local Plan.

APPENDIX 1: WEB LINKS TO DOCUMENTS

National planning policy context

(i) National Planning Policy Framework (December 2023)

https://assets.publishing.service.gov.uk/media/65829e99fc07f3000d8d4529/NPPF_December_2023.pdf

(ii) Planning Practice Guidance:

<https://www.gov.uk/government/collections/planning-practice-guidance>

The following Planning Practice Guidance notes are referred to in this document:

- Build to Rent (September 2018)
- Community Infrastructure Levy (January 2023)
- First Homes (December 2021)
- Housing and Economic Needs Assessment (December 2020)
- Housing Needs of Different Groups (May 2021)
- Housing for older and disabled people (June 2019)
- Neighbourhood planning (September 2020)
- Planning Obligations (September 2019)
- Viability (September 2019)

(iii) Other documents

Ministerial Statement on First Homes (May 2021)

<https://questions-statements.parliament.uk/written-statements/detail/2021-05-24/hlws48>

First Homes – Section 106 Provisions (December 2021) i.e. the Government's template planning obligations

<https://www.gov.uk/government/publications/first-homes-model-section-106-agreement-for-developer-contributions>

Local Authority Guidance Note on First Homes (February 2024)

<https://www.gov.uk/government/publications/first-homes-stakeholder-guidance-documents/local-authority-guidance-notes>

National Design Guide (January 2021)

<https://www.gov.uk/government/publications/national-design-guide>

New Model for Shared Ownership: technical consultation (April 2021)

[New model for Shared Ownership: technical consultation - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/new-model-for-shared-ownership-technical-consultation)

Raising accessibility standards for new homes: a consultation paper (September 2020)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/930274/200813_con_doc_-_final__1_.pdf

Homes England: Capital Funding Guide (November 2023)

<https://www.gov.uk/guidance/capital-funding-guide>

Dacorum planning policy context

(i) Existing adopted plans and other relevant documents

Core Strategy (September 2013)

http://www.dacorum.gov.uk/docs/default-source/strategic-planning/adopted-core-strategy-2013.pdf?sfvrsn=80753a9e_2

Site Allocations Development Plan Document (July 2017)

http://www.dacorum.gov.uk/docs/default-source/strategic-planning/dacorum-site-allocations-statement-june-2017.pdf?sfvrsn=d63a3c9e_10

Affordable Housing Supplementary Planning Document (September 2013)

http://www.dacorum.gov.uk/docs/default-source/planning-development/affordable-housing-spd-2013-nbsp-.pdf?sfvrsn=5b39f89f_0

Affordable Housing SPD - Clarification Note (revised March 2022)

<affordable-housing-spd-clarification-note-update-march-2022.pdf> (dacorum.gov.uk)

Authority Monitoring Report 2019/20

<http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/monitoring-reports-and-land-position-statements>

Statement of Community Involvement (September 2019)

<http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/statement-of-community-involvement>

(ii) Emerging new Local Plan consultation documents

Local Plan Emerging Strategy for Growth consultation document (November 2020) – link to all policies referred to in this paper:

https://www.dacorum.gov.uk/docs/default-source/strategic-planning/part-1---local-plan-emerging-strategy-for-growth-2020-2038---pages-1-to-187.pdf?sfvrsn=93bf0c9e_10

Local Plan Revised Strategy for Growth (2024-2040) consultation:

[https://www.dacorum.gov.uk/docs/default-source/strategic-planning/dacorum-local-plan-\(2024-2040\)-revised-strategy-for-growth-print-version2153724551156b7f9bc7ff00000246a4.pdf?sfvrsn=b546199e_2](https://www.dacorum.gov.uk/docs/default-source/strategic-planning/dacorum-local-plan-(2024-2040)-revised-strategy-for-growth-print-version2153724551156b7f9bc7ff00000246a4.pdf?sfvrsn=b546199e_2)

(iii) Emerging new Local Plan evidence base

Local Plan Emerging Strategy for Growth: Housing Topic Paper (November 2020)

<https://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/new-single-local-plan/technical-work-for-the-early-partial-review>

Local Plan Emerging Strategy for Growth: Site Assessment Study – Viability (an appendix to the study) (December 2019)

https://www.dacorum.gov.uk/docs/default-source/strategic-planning/dbc-site-assessment-study---volume-4.pdf?sfvrsn=d3b80c9e_4

South West Hertfordshire Local Housing Needs Assessment (September 2020)

https://www.dacorum.gov.uk/docs/default-source/strategic-planning/south-west-herts-local-housing-needs-assessment-final-report---september-2020.pdf?sfvrsn=ecd00c9e_4

Other relevant Council documents

Additional planning guidance and advice notes:

[http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/supplementary-planning-documents-\(spds\)](http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/supplementary-planning-documents-(spds))

Authority Monitoring Report

<http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/monitoring-reports-and-land-position-statements>

Conservation area appraisals

<https://www.dacorum.gov.uk/home/planning-development/planning-cons-design/conservation-areas>

Delivering for Dacorum Corporate Plan 2020-2025

https://www.dacorum.gov.uk/docs/default-source/council-democracy/corporate-plan-2020-2025.pdf?sfvrsn=ba6f089e_8

Shaping the future of Dacorum – Our Growth and Infrastructure Strategy to 2050

<http://www.dacorum.gov.uk/docs/default-source/strategic-planning/dacorum-growth-and-infratstructure-strategy-to-2050.pdf>

‘Homes for the Future’ Housing Strategy 2019-2021

<http://www.dacorum.gov.uk/home/housing/services-we-offer/strategies-and-policies#f8b46b45-5115-6b7f-9bc7-ff00000246a4>

Housing Allocations Policy (last reviewed November 2017, adopted April 2018, updated February 2021)

https://www.dacorum.gov.uk/docs/default-source/housing/housing-allocations-policy.pdf?sfvrsn=8dcd0a9e_30

Tenancy Strategy (May 2019)

<https://democracy.dacorum.gov.uk/documents/s20523/Housing-04-09-19-Housing%20Strategy-Appendix%203%20-%20Tenancy%20Strategy.pdf>

Neighbourhood plans in Dacorum

Bovingdon Neighbourhood Plan, Submission Version (July 2023)

https://www.dacorum.gov.uk/docs/default-source/strategic-planning/bovingdon-neighbourhood-plan-consultation/bnp-submission-reg-15-document-optimised.pdf?sfvrsn=5f0b199e_2

Grovehill Future Neighbourhood Plan (2016-2031)

http://www.dacorum.gov.uk/docs/default-source/strategic-planning/grovehill-future-neighbourhood-plan---referendum-version.pdf?sfvrsn=44840b9e_4

Kings Langley Neighbourhood Plan (January 2023)

<https://klnp.co.uk/wp/wp-content/uploads/2022/10/Kings-Langley-Neighbourhood-Plan-Referendum-September-2022.pdf>

APPENDIX 2: GLOSSARY

Abbreviations used in this appendix:

NPPF: National Planning Policy Framework

PPG: Planning Practice Guidance

Accessible and adaptable homes (standards in Part M of the Building Regulations (access to and use of buildings):

M4(1) Category 1: Visitable dwellings (the minimum standard that applies where no planning condition is given unless a plan sets a higher minimum requirement)

M4(2) Category 2: Accessible and adaptable dwellings

M4(3) Category 3: Wheelchair user dwellings

Affordable housing (definition in NPPF Annex 2): housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

Affordable Housing Plan: This will provide details on the phasing for the construction and transfer of the affordable housing to a registered provider, including a plan showing the location of the affordable homes. It is a requirement of the Council's Section 106 model agreement.

Affordable private rent: See point a) (affordable housing for rent) in the NPPF's definition of 'Affordable housing' above.

The NPPF indicates that for Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

Affordable private rented housing must meet the following conditions: (a) the rent is at least 20% below local market rents (including service charges where applicable); (b) the landlord need not be a registered provider; and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

Further guidance is provided in the Build to Rent PPG, paragraphs 002 and 003.

Affordable rent: See point a) (affordable housing for rent) in the NPPF's definition of 'Affordable housing' above.

The NPPF states that affordable rented housing must meet the following conditions: (a) the rent is set in accordance with the Government's rent policy for Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider; and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

Age-restricted general market housing (definition in PPG on Housing for older and disabled people, paragraph 010): This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.

Build to Rent (definition in NPPF Annex 2): Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.

Community Infrastructure Levy (CIL) (definition in PPG on Community Infrastructure Levy, paragraph 001): The Community Infrastructure Levy (the 'levy') is a charge which can be levied by local authorities on new development in their area. It is an important tool for local authorities to use to help them deliver the infrastructure needed to support development in their area.

Most new development which creates net additional floor space of 100 square metres or more, or creates a new dwelling, is potentially liable for the levy.

Community-led developments (definition in NPPF Annex 2): A development instigated and taken forward by a not-for-profit organisation set up and run primarily for the purpose of meeting the housing needs of its members and the wider local community, rather than being a primarily commercial enterprise. The organisation is created, managed and democratically controlled by its members. It may take any one of various legal forms including a community land trust, housing co-operative and community benefit society. Membership of the organisation is open to all beneficiaries and prospective beneficiaries of that organisation. The organisation should own, manage or steward the homes in a manner consistent with its purpose, for example through a mutually supported arrangement with a Registered Provider of Social Housing. The benefits of the development to the specified community should be clearly defined and consideration given to how these benefits can be protected over time, including in the event of the organisation being wound up.

Custom-build housing: see definition of self-build and custom-build housing below.

Extra care housing (definition in PPG on Housing for older and disabled people, paragraph 010): This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission

(CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.

First Homes (definition in PPG on First Homes, paragraph 001: First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes. Specifically, First Homes are discounted market sale units which:

- a) must be discounted by a minimum of 30% against the market value;
- b) are sold to a person or persons meeting the First Homes eligibility criteria (see below);
- c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
- d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.

First Homes exception site (definition in PPG on First Homes, paragraph 024): A First Homes exception site is an exception site (that is, a housing development that comes forward outside of local or neighbourhood plan allocations to deliver affordable housing) that delivers primarily First Homes as set out in the First Homes Written Ministerial Statement.

Homes England: The non-departmental Government body that provides funding and enabling expertise in the delivery of regeneration and new affordable homes and performs a regulatory function in respect of registered providers. It replaced the Homes and Communities Agency.

Local housing needs survey: In order to demonstrate a need for rural exception sites and First Homes exception sites, a local housing needs survey must be undertaken by the Rural Housing Enabler (RHE) for Dacorum (see point 1 in Table 18.1 of this SPD for further information).

Local plan (definition in NPPF Annex 2): A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two.

Major development*:

Major development' means development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where —
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more.

* Definition in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

National Planning Policy Framework (NPPF): The NPPF was first published in March 2012 and has since been revised, most recently on 19 December 2023. It sets out the government's planning policies for England and how these are expected to be applied. It also provides a framework within which locally-prepared plans for housing and other development can be produced.

Nomination rights: The grant of rights to the council to nominate households to occupy accommodation provided by the registered provider. These rights are formalised in the form of a nomination agreement.

Older people (definition in NPPF Annex 2): People over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

People with disabilities (definition in NPPF Annex 2): People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.

Planning obligation (definition in NPPF Annex 2): A legal agreement entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

Planning Practice Guidance (PPG): The Government's Planning Practice Guidance notes provide additional, more detailed guidance to supplement the NPPF. The PPGs provide an extensive online resource of detailed policy guidance on various topics, which is produced by the Department for Levelling Up, Housing and Communities.

Registered Provider: A local authority entered on the Regulator of Social Housing's Register pursuant to section 114 of the Housing and Regeneration Act 2008, or a body such as a housing association entered on the Register as a non-profit organisation or a profit-making organisation (as such terms are defined in section 115 of the Housing and Regeneration Act 2008).

The Regulator of Social Housing is a non-departmental public body that regulates private registered providers of social housing to promote a viable, efficient and well-governed social housing sector able to deliver homes that meet a range of needs.

Re-lets: Local authority or registered provider rented properties which become vacant due to the departure of a previous tenant, therefore enabling their re-letting to another tenant or applicant from the Council's Housing Register.

Rent to buy: this affordable housing product is included in the NPPF's definition of affordable housing (see above) under 'other affordable routes to home ownership'. The definition describes rent to buy housing as an affordable route to home ownership for those who could not achieve home ownership through the market. Such housing includes a period of intermediate rent.

Rural exception sites (definition in NPPF Annex 2): Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Shared ownership: See point d) (other routes to home ownership) in the NPPF's definition of 'Affordable housing' above.

Social rent: See point a) (affordable housing for rent) in the NPPF's definition of 'Affordable housing' above. See also paragraph 10.3 in this SPD.

The NPPF states that social rented housing must meet the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider; and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

Supplementary planning documents (definition in NPPF Annex 2): Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

APPENDIX 3: DACORUM'S AFFORDABLE HOUSING POLICIES

Core Strategy (September 2013)

POLICY CS18: Mix of Housing

New housing development will provide a choice of homes. This will comprise:

- (a) a range of housing types, sizes and tenure;
- (b) housing for those with special needs; and
- (c) affordable housing in accordance with Policy CS19.

Decisions on the appropriate type of mix of homes within development proposals will be guided by strategic housing market assessments and housing needs surveys, and informed by other housing market intelligence and site-specific considerations.

POLICY CS19: Affordable Housing

Affordable homes will be provided:

- on sites of a minimum size 0.3ha or 10 dwellings (and larger) in Hemel Hempstead; and
- elsewhere, on sites of a minimum size of 0.16ha or 5 dwellings (and larger).

A financial contribution will be sought in lieu of affordable housing on sites which fall below these thresholds.

35% of the new dwellings should be affordable homes. Higher levels may be sought on sites which are specified by the Council in a development plan document, provided development would be viable and need is evident. On rural housing sites 100% of all new homes will normally be affordable (Policy CS20).

A minimum of 75% of the affordable housing units provided should be for rent.

Judgements about the level, mix and tenure of affordable homes will have regard to:

- (a) the Council's Housing Strategy, identified housing need and other relevant evidence (see Policy CS18);
- (b) the potential to enlarge the site;
- (c) the overall viability of the scheme and any abnormal costs; and
- (d) arrangements to ensure that the benefit of all affordable housing units passes from the initial occupiers of the property to successive occupiers

Further, detailed guidance is provided in the Affordable Housing Supplementary Planning Document.

POLICY CS20: Rural Sites for Affordable Homes

Small-scale schemes for local affordable homes will be promoted in and adjoining selected small villages in the countryside (see Policies CS6 and CS7), and exceptionally elsewhere with the support of the local Parish Council.

Development will only be permitted if:

- (a) it meets an identified local need for affordable housing;
- (b) the housing is for people who have a strong local connection with the village or parish through work, residence or family; and
- (c) the scheme is of a scale and design that respects the character, setting and form of the village and surrounding countryside.

Any site on the edge of a village must represent a logical extension to it.

Site Allocations Development Plan Document (July 2017)

Policy LA1: Marchmont Farm, Hemel Hempstead

Policy LA2: Old Town, Hemel Hempstead

Policy LA3: West Hemel Hempstead

Policy LA4: Hanburys, Shootersway, Berkhamsted

Policy LA5: Icknield Way, West of Tring

Policy LA6: Chesham Road and Molyneaux Avenue, Bovingdon

The introductory text at the start of Policies LA1- LA6 includes the following:

“The key development principles for the site are set out below. Further detail is in a site master plan.”

Under ‘Key Development Principles’, Policies LA1-LA6 commence by stating that:

“The following principles have been used to guide the site master plan and will be used assess the subsequent planning application:

- Deliver a mix of two storey housing including 40% affordable homes.”

APPENDIX 4: AFFORDABLE RENTS IN DACORUM

This paper was produced by Justin Gardener Consulting in May 2022.

Introduction

1. This note sets out suggestions about the cost of affordable rented housing to make it affordable in a local context for Dacorum. This builds on analysis in the South West Hertfordshire Local Housing Needs Assessment (LHNA) (September 2020) which suggested in Table 41 that only 13% of households unable to afford market housing would be able to afford an affordable rent (without the need to claim Housing Benefit/Universal Credit with a housing entitlement). This finding was based on an assumption that an affordable rent would be priced at 80% of lower quartile market rents.
2. It is recognised that affordable rented housing could be provided with a range of discounts from the open market rent. One potential issue with the analysis is that it is quite difficult to know exactly what rent level a particular discount would equate to. This is because the market value of a property (of a similar size) could vary significantly depending on factors such as location and built-form. There is also the issue that a newly-built rental home could attract a premium when compared with an equivalent existing home in the market. Therefore, whilst pricing is investigated below, figures should be treated as indicative.

Current rent levels

3. The table below shows current rent levels in the Borough for a range of products along with relevant local housing allowance (LHA) rates. Dacorum falls into three different Broad Rental Market Areas (BRMAs) for the purposes of LHA, with the South West Herts area covering much of the Borough (parts are also in the Aylesbury and Chilterns BRMAs).
4. Data about average social and affordable rents has been taken from the Regulator of Social Housing (RSH) and this is compared with lower quartile and median market rents (from ONS data). This analysis shows that social rents are lower than affordable rents; the analysis also shows that affordable rents are less than both lower quartile and median market rents.
5. When looking at the LHA limits, the analysis shows figures close to or above lower quartile rents, but typically lower than median rents. This does potentially mean that households seeking accommodation in some (more expensive) locations may struggle in some cases to secure sufficient benefits to cover their rent.

Figure 1: Comparison of rent levels for different products – Dacorum (2020-21)					
	Social rent	Affordable rent (AR)	Lower quartile (LQ) market rent	Median market rent	LHA (South West Herts) – Sept 2021
1-bedroom	£432	£628	£800	£850	£798
2-bedrooms	£506	£769	£975	£1,100	£997
3-bedrooms	£563	£963	£1,260	£1,350	£1,296
4-bedrooms	£603	£1,118	£1,550	£1,875	£1,695

Source: RSH, ONS and VOA

6. To some extent it is easier to consider the data above in terms of the percentage one housing cost is of another and this is shown in the table below. Discussion focusses on 2-

bedroom homes (this is the main stock size held by Affordable Housing Providers, 40% of social rented housing and 53% of affordable rents). This shows that social rents are significantly cheaper than market rents (and indeed affordable rents) but that affordable rents (as currently charged) represent 79% of a current lower quartile rent (70% if comparing with a median rent).

Figure 2: Difference between rent levels for different products – Dacorum						
	Social rent as % of affordable rent	Social rent as % of LQ market rent	Social rent as % of median market rent	Affordable rent as % of LQ market rent	Affordable rent as % of median market rent	LQ market rent as % of median market rent
1-bedroom	69%	54%	51%	79%	74%	94%
2-bedrooms	66%	52%	46%	79%	70%	89%
3-bedrooms	58%	45%	42%	76%	71%	93%
4-bedrooms	54%	39%	32%	72%	60%	83%

Source: RSH, ONS and VOA

Affordability of Current Social/Affordable Rents

7. An analysis has been undertaken to compare the income distribution of households with the cost of different products – initially based on actual affordable and social rents as published by the Regulator of Social Housing. For comparative purposes a lower quartile market rent is used to determine the group of households who cannot afford a market rent and would therefore benefit from a subsidised rent.
8. For the affordability test, a standardised average rent for each product has been used (figures standardised on the basis of estimated need for social/affordable rented housing shown in paragraph 6.74 of the LHNA). The table below suggests that around 18% of households who cannot afford to rent privately could afford an affordable rent, with a further 31% being able to afford a social rent (but not an affordable one). A total of 51% of households would need some degree of benefit support to be able to afford their housing (regardless of the tenure).
9. The figure of 18% being able to afford affordable rents is higher than suggested in the LHNA and this situation largely arises due to analysis in this note being based on actual affordable rents which are typically less than 80% of a lower quartile market rent. The standardising of rents for each product will also have some impact on the analysis. Regardless, it is clear when based on income alone that only a small proportion of households unable to afford market rents would be able to afford an affordable rent at current costs without the need to claim benefits (or where it would be assumed they are spending too high a proportion of their income on housing costs). Clearly reducing the cost of affordable rents would bring more households into the able to afford (without benefit) category.

Figure 3: Estimated need for affordable rented housing (% of households able to afford)	
	Dacorum
Afford affordable rent	18%
Afford social rent	31%
Need benefit support	51%
All unable to afford market	100%

Source: Affordability analysis

Affordable Rents at 60%, 70% and 80% of the Market

10. The analysis below seeks to investigate to potential impact of providing affordable rents at a 20%, 30% and 40% discount from market rents (i.e. rents at 60%, 70% and 80%). Two analyses are provided, one where the discount is applied to lower quartile rents and a second linked to the median rent. In reality, it is possible that the open market rents (prior to any discount) could be even higher than the median values, if they have a premium due to being a newbuild product. The table below shows the rent levels that would apply if using these levels of discount from the lower quartile and median values.

	Discount from lower quartile market			Discount from median market		
	20% (80% of market)	30% (70% of market)	40% (60% of market)	20% (80% of market)	30% (70% of market)	40% (60% of market)
1-bedroom	£640	£560	£480	£680	£595	£510
2-bedrooms	£780	£683	£585	£880	£770	£660
3-bedrooms	£1,008	£882	£756	£1,080	£945	£810
4-bedrooms	£1,240	£1,085	£930	£1,500	£1,313	£1,125

Source: Derived from ONS data

11. These figures have been modelled in the same way as for existing rent levels to look at the proportion of households able to afford different rent levels. In all cases the social rent is as previously set out and so it is only the first two categories in the table below that vary. The outputs based on existing rents have also been included for reference. The analysis suggests when looking at a 20% discount from median rents that very few additional households (additional to those able to afford the market) are now able to afford housing (just 8%) although higher discounts do see a greater proportion of households being able to afford an affordable rent.

	Based on existing rents	Discount from lower quartile market			Discount from median market		
		20% (80% of market)	30% (70% of market)	40% (60% of market)	20% (80% of market)	30% (70% of market)	40% (60% of market)
Afford affordable rent	18%	15%	24%	34%	8%	17%	27%
Afford social rent	31%	33%	24%	14%	40%	31%	21%
Need benefit support	51%	51%	51%	51%	51%	51%	51%
All unable to afford market	100%	100%	100%	100%	100%	100%	100%

Source: Affordability Analysis

Consideration of the Evidence

12. On the basis of this analysis, taking account of the likelihood that the open market rent is at or above the median, and that concerns have been expressed about affordability tests used by Affordable Housing Providers, it can be concluded that the Council would be reasonable to seek a higher level of discount than 20% from the market. **It is considered that providing lower Affordable Rents or (at 60% of market values, including service charges) would be a sensible start point, subject to the viability of delivering housing at these costs.**

13. There will be a series of other considerations both at a strategic level and for specific schemes. For example, there may be funding streams that are only available for a particular type of housing, and this may exist independently to any local assessment of need. Additionally, there will be the consideration of the balance between the cost of housing and the amount that can be viably provided. For example, it is likely that affordable rented housing is more viable, and therefore a greater number of units could be provided. Finally, in considering a split between social and affordable rented housing it needs to be considered that having different tenures on the same site (at least at initial occupation) may be difficult – e.g. if tenants are paying a different rent for essentially the same size/type of property and services.
14. On this basis, it is not recommended that the Council has a rigid policy for the split between social and affordable rented housing, although the analysis is clear that both tenures of homes are likely to be required in all areas.

Suggested rent levels (at 60% of median market)

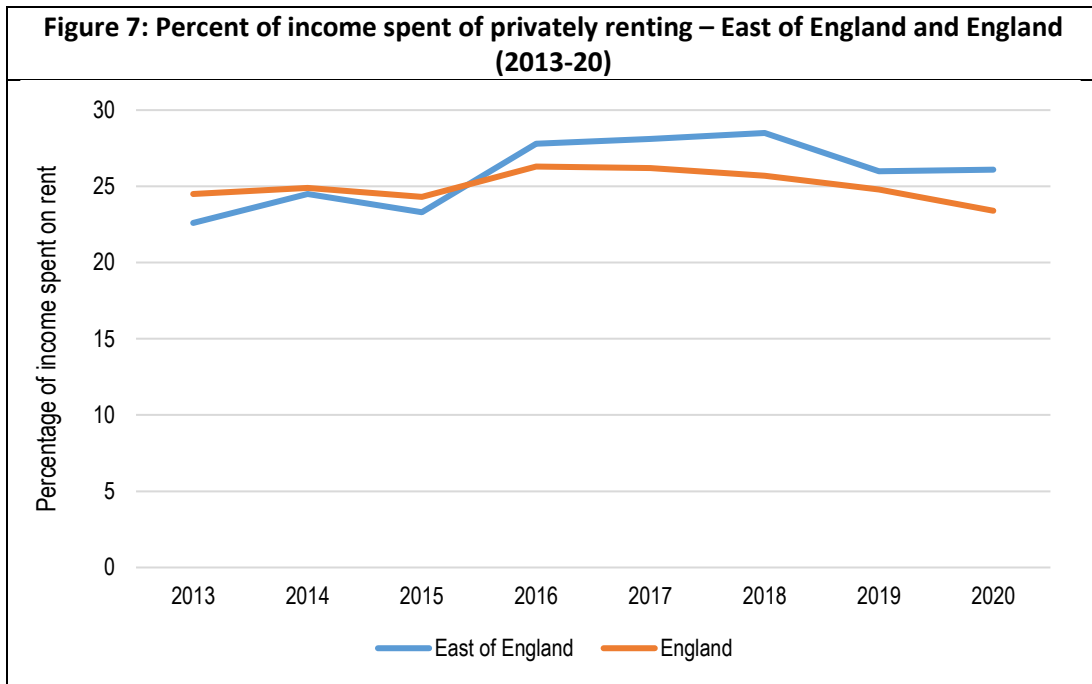
15. The analysis above is interesting and suggests that current affordable rents are only affordable to a fraction of households unable to afford the market and therefore lowering rent levels would make them more affordable. As noted, the Council should investigate affordable rents at 60% of the market (subject to viability) and the table below shows what these rent levels would be on the basis of the analysis above.

Figure 6: Suggested Affordable Rent Levels (per month) – based on 60% of median market rents – Dacorum			
	Social rent	Lower quartile (LQ) market rent	Suggested affordable rent (AR)
1-bedroom	£432	£800	£510
2-bedrooms	£506	£975	£660
3-bedrooms	£563	£1,260	£810
4-bedrooms	£603	£1,550	£1,125

Source: Based on RSH and ONS

16. The analysis above is based on data at a point in time (largely relating to 2021). It is possible that the percentages calculated and therefore the conclusions drawn could change over time, for example if market rents were to increase faster than social rents then the discount from the market might need to increase to keep rents affordable. Likewise, if private rents were to increase at a different rate to local incomes then the proportions able to afford would change, which in turn could lead to a different conclusion about how much discount is required to be affordable.
17. Overall, however, it is considered that incomes and rents are likely to increase at a similar rate over time and so the conclusions above will remain valid for at least 3-5 years. The figure below shows estimated change to the private rental affordability ratio in England and the East of England for the 2013-20 period. This is a dataset published by ONS and the period used is the full period studied. The ratio shown is comparing monthly rents with estimated monthly incomes.
18. The analysis shows for the East of England an increase in this ratio from 2015 to 2016 but that since then the ratio has declined. For England, a more modest increase was shown for 2015-16 and subsequently a greater decline. Overall, for the period studied there does not

appear to be any notable trend with the ratio between private sector rents and incomes remaining at broadly the same level.



Source: ONS Private Rental Affordability data

APPENDIX 5: LOCAL CONNECTION CRITERIA FOR AFFORDABLE HOUSING

Background information

1. The Council is committed to ensuring that affordable housing is occupied by local people who have a housing need that cannot be satisfied by the open market alone. Our approach towards eligibility to occupy affordable housing varies between:

- Social and affordable rented housing: allocated via the Council's Housing Register; and
- Other affordable housing: not allocated via the Housing Register

2. A nominations agreement must be completed, securing nomination rights to the affordable homes for the Council. The agreement must be completed prior to occupation of any affordable housing for rent, securing 100% of the initial lets and 75% of subsequent lets. The agreement should be included in the Section 106 agreement when planning permission is granted for a development providing affordable housing (see section 27).

(i) Social and affordable rented housing (allocated via the Housing Register)

3. The Council's 'Housing Allocations Policy' sets out how we prioritise applications for social and affordable rented housing, based on people's circumstances and level of housing need (see paragraph 4.6).

4. Section 2.2 in the Housing Allocations Policy requires most applicants to meet at least one of the following local connection criteria:

- A ten-year residency within the Borough at some point in their lifetime;
- Family connection where an immediate family member (parents, children, siblings) who are over the age of 18 and are resident within the Borough for ten years consecutively, immediately preceding the date of application and are still resident at point of allocation;
- Currently in permanent employment within the Borough boundary, consisting of 16 hours a week or more, and which has been continuous for the last 24 months. Applicants who are home working must provide evidence that their main workplace is in Dacorum. The employment must be based on actual place of work and not where the head/ regional office is sited.

5. A number of exceptions to the requirement to meet the local connection criteria are identified in section 2.2 in the Housing Allocations Policy, including applicants for sheltered housing.

6. Section 5.2 sets out some additional local connection criteria, which apply in the following villages: Aldbury, Bovington, Chipperfield, Flaunden, Flamsted, Great Gaddesden, Gaddesden Row, Kings Langley, Little Gaddesden, Long Marston, Markyate, Northchurch, Potten End, Wilstone and Wigginton.

(ii) Other Affordable Housing (not allocated via the Housing Register)

7. The Council is preparing a housing policy document called 'Local Connection Policy for Other Affordable Housing' (see Appendix 5). Once this document is approved, people wishing to live in affordable private rented housing will be assessed against the criteria in the policy. We will take account of the approved Local Connection Policy in the finalised version of this SPD.

8. The Local Connection Policy will apply to properties that are not required to be allocated via the Housing Register. These properties will be called 'Other Affordable Housing'. This includes the following types of affordable housing:
 - First Homes
 - Shared ownership
 - Discounted market sales housing
 - Rent to buy
 - Affordable private rent
9. Some households are excluded from the Housing Register (for example, because they exceed the savings and income thresholds or the stricter local connection criteria), but are eligible for Other Affordable Housing.
10. It is envisaged that applicants for Other Affordable Housing will need to provide evidence that they comply with the Local Connection Policy in terms of at least one of the following:
 - Current residency
 - Employment
 - Key worker criteria (a definition of 'key workers' will be provided)
 - Family connection
 - Special circumstances such as caring responsibilities
11. Other points to note are that:
 - People who do not meet the above points, but have exceptional circumstances, will be considered on a case by case basis.
 - In the villages named in paragraph 6 above, priority is likely to be given to applicants with a local connection to that village.
 - Some military personnel, members of the British Armed Forces and, in some instances, their divorced/separated or bereaved spouse or civil partner, will not require a local connection. However, for First Homes, the approach will be as stated in paragraph 13.9.

Dacorum BC Community Impact Assessment (CIA) Template

Policy / service / decision

Dacorum Draft Interim Affordable Housing SPD

Description of what is being impact assessed

What are the aims of the service, proposal, project? What outcomes do you want to achieve? What are the reasons for the proposal or change? Do you need to reference/consider any related projects?

Stakeholders; Who will be affected? Which protected characteristics is it most relevant to? Consider the public, service users, partners, staff, Members, etc

It is advisable to involve at least one colleague in the preparation of the assessment, dependent on likely level of impact

Supplementary guidance on Dacorum's planning policies for affordable housing is currently set out in the following documents:

- Affordable Housing Supplementary Planning Document (September 2013)
- Affordable Housing SPD - Clarification Note (revised March 2022)

There is a need to replace these documents by a new Supplementary Planning Document (SPD), for the following main reasons:

1. The Council wishes to ensure that rented affordable housing is genuinely affordable for households in need of such housing.
2. To take account of changed Government guidance on affordable housing, including the introduction of First Homes.
3. To provide updated and expanded guidance on how our planning policies for affordable housing should be applied.

The Council will use the updated SPD when deciding planning applications for housing development.

Evidence

What data/information have you used to assess how this policy/service/decision might impact on protected groups?

(include relevant national/local data, research, monitoring information, service user feedback, complaints, audits, consultations, CIAs from other projects or other local authorities, etc.). You should include such information in a proportionate manner to reflect the level of impact of the policy/service/decision.

The CIA has been prepared following an iterative process. This involved identifying the likely impacts arising from the draft Interim Affordable Housing SPD and then considering these impacts as positive, negative or neutral in light of the thrust of the relevant guidance. This was set against known facts, information and evidence gathered including through early engagement with a range of stakeholders and which relates specifically to the protected characteristics listed in the Equality Act 2010.

Recommendations on ways by which the negative impacts could be removed or mitigated and the positive impacts strengthened were then sought. The draft Interim Affordable Housing SPD contents are then reconsidered and re-examined again in the same iterative process until they emerge with no known negative impacts and became more acceptable.

Who have you consulted with to assess possible impact on protected groups? *If you have not consulted other people, please explain why? You should include such information in a proportionate manner to reflect the level of impact of the policy/service/decision.*

The Council has engaged with a wide range of stakeholders, predominantly on an internal basis. Give the specific nature of the SPD in serving those most in need of affordable housing, the focus of consultation to date has been with the following:

- Strategic Housing Investment and Regeneration;
- Housing Needs team;
- Supported Housing;
- Legal;
- Development Management;
- Infrastructure Planning; and
- Senior Leadership Team

Public consultation on the draft Interim Affordable Housing SPD will allow the Council the opportunity to consult with a much wider range of stakeholders, including those who represent protected and vulnerable groups both within the Borough and beyond.

Analysis of impact on protected groups (and others)

The Public Sector Equality Duty requires Dacorum BC to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service/decision will achieve these aims. Using the table below, detail what considerations and potential impacts against each of these using the evidence that you have collated and your own understanding. Based on this information, make an assessment of the likely outcome, **before** you have implemented any mitigation.

- The PCs of Marriage and Civil Partnership and Pregnancy and Maternity should be added if their inclusion is relevant for impact assessment.
- Use “insert below” menu layout option to insert extra rows where relevant (e.g. extra rows for different impairments within Disability).

Summary of impact		Negative impact / outcome	Neutral impact / outcome	Positive impact / outcome
Protected group	<i>What do you know? What do people tell you? Summary of data and feedback about service users and the wider community/public. Who uses / will use the service? Who doesn't / can't and why? Feedback/complaints?</i>			
Age	<p>The Interim Affordable Housing SPD includes guidance on such schemes for older people, reflecting evidence that there is a substantial need for additional affordable extra care housing and care home bedspaces.</p> <p>It also includes guidance on how the Council will apply the introduction of First Homes. Although not age specific, it is likely to benefit younger adults who would otherwise not be able to purchase a home in the borough.</p>	□	□	☒
<p>Disability (physical, intellectual, mental)</p> <p><i>Refer to CIA Guidance Notes and Mental Illness & Learning Disability Guide</i></p>	<p>The draft Interim Affordable Housing SPD includes guidance on the proportion of new affordable housings that are required to meet accessible and adaptable standards.</p> <p>It also requests that all new homes are built to the Nationally Described Space Standards, which will reduce the potential for</p>	□	□	☒

	cramped conditions that can have a negative impact on human health, both mentally and physically.			
Gender reassignment	The interim Affordable Housing SPD is neutral with regards to gender-reassignment or other gender identity.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race and ethnicity	The Interim Affordable Housing SPD is neutral with regards to race and ethnicity. The delivery of housing for specific groups such as gypsies, travellers and travelling showpeople are dealt with through other policies in the adopted Core Strategy.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	The Interim Affordable Housing SPD is neutral with regards to religion or belief.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	The Interim Affordable Housing SPD is neutral with regards to sex.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	The Interim Affordable Housing SPD is neutral with regards to sexual orientation.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p>Not protected characteristics but consider other factors, e.g. carers, care leavers, veterans, homeless, low income, loneliness, rurality etc.</p>	<p>The Interim Affordable Housing SPD includes guidance to support a number of non-protected characteristics including:</p> <ul style="list-style-type: none"> • the delivery of housing (both to rent or to purchase) for those on lower incomes and those that are homeless; • the delivery of housing for those with a local connection to the area; and • the delivery of rural exception sites to meet those in more remote locations in the borough. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Negative impacts / outcomes action plan

Where you have ascertained that there will potentially be negative impacts / outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

<p>Action taken/to be taken <i>(copy & paste the negative impact / outcome then detail action)</i></p>	<p>Date</p>	<p>Person responsible</p>	<p>Action complete</p>
<p>n/a</p>	<p>Select date</p>		<input type="checkbox"/>

If negative impacts / outcomes remain, please provide an explanation below.

n/a

Completed by (all involved in CIA)	Ronan Leydon, Strategic Planning Manager
Date	26/02/2024
Signed off by	Sara Whelan, Assistant Director - Planning
Date	26/02/2024
Entered onto CIA database - date	
To be reviewed by (officer name)	Ronan Leydon, Strategic Planning Manager
Review date	Following public consultation, the CIA will be reviewed in light of comments received and updated alongside the SPD being finalised and if appropriate recommended for adoption.

Statement of Community Involvement



ADOPTED SEPTEMBER 2019

Foreword

Introduction

The statement of community involvement (SCI) outlines Dacorum Borough Council's standards for involving the community in the planning process and identifies the ways it will achieve these standards.

It sets out the Council's approach to public consultation in two areas of planning:

- 1) The preparation, alteration and continuing documents; and review of its planning policy
- 2) Consultation on planning applications

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Glossary

Some of the key terms used within this document are explained below.

Authority Monitoring Report (AMR)	A report produced each year by local authorities, which assesses progress with, and the effectiveness of, its plan making documents. Formerly known as the Annual Monitoring Report.
Community Infrastructure Levy (CIL)	A new charge which local authorities in England and Wales will be empowered, but not required, to charge on most types of new development in their area. CIL charges will be based on simple formulae which relate to the size of the charge to the size and character of the development paying it.
Deposit Point	Locations across the Borough where consultation documents can be viewed.
Environmental Information Regulations (EIR)	Details of what EIR is, when information is covered by the Regulations and which organisations are covered by the Regulations is available at: https://ico.org.uk/for-organisations/guide-to-the-environmental-information-regulations/what-are-the-eir/
Freedom of Information Act (FOIA)	Details of what the FOI Act is, when information is covered by the Act and which organisations are covered by the Act is available at: https://ico.org.uk/for-organisations/guide-to-freedom-of-information/what-is-the-foi-act/
Local Development Scheme (LDS)	This public statement sets out the programme for the preparation of the Local Plan and Local Development Documents.
Local Enterprise Partnership (LEP)	A body, designated by the Secretary of State, established for the purpose of creating or improving the conditions for economic growth in an area.
Local Nature Partnership (LNP)	Partnership organisation with the main aim of improving the range of benefits and services obtained from a healthy natural environment. Also provide local leadership on environmental issues and to contribute to the green economy by linking with LEPs.
Local Plan	Formal plans for a geographical area which are key points of reference when deciding planning applications. May consist of a single document or a set of documents including a Core Strategy, Site Allocations, Development Management Policies and Area Action Plans.
Local Strategic Partnership (LSP)	The Dacorum LSP is a partnership comprising representatives from public and private organisations, business and the voluntary sector and community groups. One of its roles is to prepare and implement the Sustainable Community Strategy.

Minerals and Waste Local Plan	Produced by Hertfordshire County Council, these documents set out plans relating to mineral and waste developments in Hertfordshire.
National Planning Policy Framework (NPPF)	The National Planning Policy Framework sets out the Government's planning policies for England, and how these are expected to be applied. The guidance is to be used by local planning authorities in drawing up plans and determining planning applications.
Neighbourhood Plan	Neighbourhood plans deal with local land use and development issues, rather than strategic issues. They may relate to regeneration or growth. They may cover where new shops, offices or homes should go and what green space should be protected. Plans should be compatible with national policies and policies in the local authority's adopted development plan.
Planning Performance Agreements (PPAs)	Voluntary agreements that commit applicants, local planning authorities and partner organisations to an agreed timetable for determining proposals.
Planning Permission in Principle (PIP)	A new type of permission that is expected to be introduced via the Housing and Planning Bill. It is similar in practice to outline planning permission and is where 'in principle' consent is granted, subject to conditions that the development in question will not begin until certain matters (e.g. access, design, landscaping etc.) have been approved by the Planning Authority.
Programme Officer	Person appointed to assist with all administrative matters related to Examinations of Local Plan Documents.
Supplementary Planning Document (SPD)	SPDs provide more detailed planning guidance to supplement what is in the development plan. They are part of the local planning framework.
Sustainability Appraisal (SA)	An appraisal of local development documents against their environmental, social and economic impacts. This often incorporates Strategic Environmental Assessment (SEA), required for some plans and proposals under European law.

1. Introduction

Dacorum Borough Council is fully committed to working in a clear and transparent way and is keen to assist anyone who may wish to get involved in the planning process.

Role of the SCI:

1.1 The purpose of the Statement of Community Involvement (SCI) is to outline the Council's standards for community involvement in the planning process and to identify ways these standards will be achieved. This SCI reflects the Government's latest planning policy guidance and changes to legislation.

1.2 The SCI sets out the Council's approach to public consultation in two areas of planning:

- **Planning Policies:** the preparation, alteration and continuing review of planning policy documents included within the Local Development Framework (LDF); and
- **Planning Applications:** Consultation on planning applications.

It illustrates how we wish to engage the community, to help them influence new planning policy documents such as the Local Plan and equally important, the ways local people can comment on planning applications which come forward.

1.3 In particular, the SCI sets out the following:

When the community will be consulted in relation to planning applications, development plan documents and supplementary planning documents

What publicity and consultation is expected from applicants before they submit a planning application

How the community will be engaged; and

Who will be involved

1.4 All local planning authorities are required to produce an SCI. The legal requirements for consultation, community involvement and planning applications are currently set out in the following legislation:

- **Plan-making:** Planning and Compulsory Purchase Act 2004; Town and Country Planning (Local Development) England Regulations 2012 (as amended); Neighbourhood Planning (General) Regulations 2012 (as amended); and
- **Planning applications:** Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and Listed Buildings and Conservation Area Regulations 1990 (as amended).

- 1.5 Dacorum's SCI demonstrates how these requirements are taken into account to ensure that, as far as possible, all parts of the community have the opportunity to engage in the process of preparing planning documents and in the decision making process on planning applications.

The role of consultation and community engagement

- 1.6 We wish to ensure that people are involved at the early stage of Local Plan preparation and in the consideration of planning applications. We want them to feel that they can make a real difference to the future of the areas in which they live and work.

- 1.7 Our aspiration is that:

"The community of Dacorum should be enabled to participate meaningfully in the development of planning policies and proposals contained in the Local Plan and to comment or make representations on planning applications in the Borough".

- 1.8 We want our planning decisions to take proper account of local views. Dacorum Borough Council encourages public involvement in planning matters, both in policy making and in the planning application process. We will do this in various ways and the methods we use to engage with people will vary depending on the nature of the planning issue, stage or process that they are involved with. It is crucial we engage effectively with our local communities in order that they can have the opportunity to have their views taken into account on decisions for development. Through the Statement of Community Involvement the Council will seek to:

Communicate clearly

- Keep the process simple by writing our documents in plain English and explaining any planning terms that we need to use
- Explain clearly what we are consulting you on and the reasons why we want to involve you.

Early Involvement

- Give those who want to, the opportunity to constructively contribute and participate in the local planning process
- Commence the consultation process to enable comments to be made in the early stages before policies are drawn up, i.e. at the issues and options stage

Recognising the needs of different groups in the community

- Communicate in ways that are relevant and accessible to all sections of our community and proportionate to the task
- Actively encourage participation and endeavour to engage with groups in our community who have in the past been under-represented in the

local planning process e.g. young people, disability groups and people from ethnic minority groups

Providing clear opportunities for involvement

- Raise awareness of the local planning process by providing clear and up-to-date information on our consultation processes
- Ensure information is provided at the earliest opportunity and give you time to respond.

Ease of access to information

- Ensure corporate participation and involve you in all stages of plan making
- Learn from what is and isn't successful when engaging with our communities and to seek ways of improving it or for carrying out consultations using different methods
- Keep organisations and the public informed about the local planning process and provide feedback on how their comments have been considered
- Draw from the consultation process, views of other Council services and where possible outside organisations.

Providing feedback and sharing information

- Make our planning documents, background studies and responses to consultations readily available (in the first instance on our website)
- Keep you informed of progress and explain decisions and/or outcomes;
- Protect the personal details of respondents in accordance with the General Data Protection Regulations/Data Protection Act 2018.

We want everyone to have the chance to have their say on the outcome regarding our new plan-making documents and during the determination of the planning applications process. We also want our plan-making and planning decisions to take full account of community views.

- 1.9 Our purpose in consulting on planning policy issues and planning applications is to provide opportunities for constructive contributions and involvement. This will:
- Enhance the quality of decision-making by the Council;
 - Promote shared responsibility (where appropriate); and
 - Raise awareness of the issues and understanding of decisions taken.

Further support available for Planning matters is listed in Appendix 2.

2. About this SCI

Structure of this Document

2.1 Our SCI comprises three parts:

Part A: Community Involvement in the Preparation of the Local Plan and Planning Policy

- provides information on how to get involved with and influence the Council as it prepares its Local Plan and other planning policy documents.

Part B: Community Involvement in the South West Herts Joint Strategic Plan

- provides information on how to become involved with and influence the preparation of the South-West Hertfordshire Joint Strategic Plan

Part C: Community Involvement in the Planning Application Process

- provides information on how to become involved with planning applications.

The need to update this SCI

2.2 The Council adopted its first SCI in June 2006. Since then there have been changes in government regulations, policies, guidance and ways of communication which have implications for the way the Council involves the community in planning. These changes in circumstances include:

- **National Requirements:** Dacorum Borough Council has to adhere to and reflect the latest planning legislation and national policy. The National Planning Policy Framework (NPPF) promotes consultation before and after a planning application is submitted and at key stages when preparing the Local Plan and other planning policy documents.
- **Resources:** Consultation is a resource intensive process, therefore practices must be revised due to increasing budget pressures and to ensure consult is carried out in the most efficient way.
- **New technology:** The need to promote and utilise electronic communication techniques and as well as social media, as part of the 'Digital Dacorum' initiative.

An initial update to the SCI was undertaken in 2016 with a focused update in 2019.

Equalities Issues

2.3 The content of the SCI is compliant with the Equalities Act 2010. The purpose of the document is to show how we will engage in consultation with all sections of the community within Dacorum. Equality issues are considered through the

sustainability appraisal process whereby the economic, environmental and social effects of the plan making process of a Local Plan will be checked against a series of sustainability criteria. This work will be undertaken by an independent consultant. For all decisions which go through Cabinet, these reports are accompanied by a Community Impact Assessment (which will influence all major plan making decisions/stages).

Reporting to Council Committees, Cabinet and Full Council

- 2.4 The Planning and Regeneration team will, at certain key stages of the plan preparation process, report the views and comments expressed during consultation to relevant committees. All reporting of consultation will involve summarising of full responses and will allow all interested parties to understand the range of responses received. These reports will be influential in shaping policy in draft planning documents. Cabinet or Full Council will approve draft and final documents at certain relevant stages of the plan making process.

Monitoring and Review

- 2.5 The Council considers that this SCI represents a realistic use of the resources available. However, there is some flexibility to undertake additional consultation if required and if sufficient staff and financial resources are available.
- 2.6 Consultation methods will be assessed for their effectiveness in reaching communities throughout Dacorum through ongoing monitoring and feedback. This will help ensure future consultation targets those groups that have not previously engaged with the consultation process. This will ensure that techniques for community involvement remain appropriate, and are achieving a representative level of involvement across all communities and groups.
- 2.7 The SCI will be kept under review and sections revised where necessary as part of the Authority Monitoring Report (AMR). This AMR is published as soon as reasonably practicable after the start of each calendar year.
- 2.7 We will review our SCI frequently (at least every three years) to ensure it remains 'fit for purpose'. Although a full review of the SCI will be carried out if the Government requires us to change who we consult or to use different types of engagement. This review process will involve the parties consulted on this SCI.

PART A: Community Involvement in Dacorum's Plan-making and Planning Policy

- 3.1 Planning Policy involves preparing plans and policies that help to decide where, when and how future development takes place in the Borough. The key planning policy document a Council must prepare is its Local Plan. Once prepared and adopted by the Council, we use those plans and policies to direct decisions on planning applications.
- 3.2 The Government places an emphasis on Councils to seek involvement from local communities on the content of its Local Plan and other planning policy documents at the earliest stage in plan-making. Local communities also have the opportunity to shape the area in which they live and work, by encouraging them to prepare Neighbourhood Plans. The council will support local communities who wish to prepare a neighbourhood plan and has put resources in place to help communities in preparing plans.
- 3.3 Local communities wishing to play an active role in planning for their area can now do two things:
- prepare a Neighbourhood Plan setting out the vision, objectives and planning policies to shape development of their neighbourhood and/or;
 - seek a grant of permission directly for certain types of development in their neighbourhood through a Neighbourhood Development Order (NDO) or a Community Right to Build Order (CRtBO).

3. Who We Consult

- 3.4 We will always ensure that our consultations on planning policy documents are as extensive as possible. Our methods of consultation we will use will vary depending on the nature of the planning policy document, the stage of the document being consulted on and the geographical scope or nature of the planning issue being considered in the document. A Supplementary Planning Document (SPD) for example, may focus on proposals and policies that affect a smaller geographical area, (e.g. a town or parish or a specific location), whereas a Local Plan may focus on policies and proposals that affect the whole district, and/or other neighbouring council areas. In most cases, wider consultation will be carried out where our proposals and/or policies affect a wider geographical area.
- 3.5 Some planning issues may cross administrative boundaries, such as planning for strategic infrastructure or planning for the sustainable development or use of land. We need to take into account our neighbouring council's policies and proposals for addressing these strategic matters in the process of making local plans. This falls under the Duty to Cooperate. The Duty ensures that we will work with our neighbouring councils and other public bodies to plan effectively for sustainable development that extends beyond our own administrative boundaries, for example, by identifying strategic matters that cross administrative boundaries and need to be addressed in our plans. Further information on who we are required to consult with under the Duty is explained in the section below.
- 3.6 To guide the plan-making process, the Council has divided consultees into the first four sub-sections to reflect requirements in government regulations:
- a) Specific Consultation Bodies

- b) General Consultation Bodies
- c) Other Consultation Bodies
- d) Wider community

In addition, other Council departments and elected Members will also be consulted.

3.7 The role and composition of each of these categories is explained further below.

3.8 Specific consultation bodies and general consultation bodies are statutory consultees and if considered relevant to a particular issue or document they must be consulted at a prescribed stage of the document preparation. Equally, by law, businesses and residents in the area should be consulted if it is considered appropriate.

3.9 These lists are not exhaustive and may change over time as a result of organisational restructures and/or legislative change. The bodies consulted will be continually reviewed and updated as appropriate.

(a) Specific Consultation Bodies

3.10 The Localism Act (2011) has introduced the Duty to Co-operate (a legal requirement) which requires planning authorities and other public bodies to actively engage and work jointly on strategic matters. The Government expects councils to work collaboratively with other bodies to ensure that 'cross border' issues that may affect their neighbouring council areas are coordinated effectively and clearly reflect the policies of each of the councils affected. The council works closely with its neighbouring councils, and Hertfordshire County Council, in regard to strategic priorities and areas of common interest. These partnerships help us to meet our Duty to Co-operate.

3.11 Section 110 of the Localism Act and guidance in the National Planning Policy Framework (NPPF) set out the duty to cooperate. This duty requires Dacorum Borough Council to work with neighbouring authorities and other public bodies involved in planning when it comes to tackling issues at a 'larger than local scale'. The bodies that we are bound to work together with by the duty to cooperate are referred to as 'Specific Consultation Bodies.' They comprise:

- Local planning authorities that adjoin the Borough¹;
- Hertfordshire County Council and any other County Councils that adjoin the Borough¹;
- Town and Parish Councils within and adjoining the Borough¹;
- A local policing body;
- The Coal Authority²;
- The Environment Agency;
- Historic England;
- Natural England;
- The Marine Management Organisation²;

¹ See Appendix 1 for detailed list of Specific Consultation Bodies

² These bodies are considered to be of limited relevance to Dacorum due to the nature of the Borough

- Network Rail Infrastructure Limited;
- Highways Agency;
- Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3) (a) of the Communication Act 2003, and any person who owns or control electronic communications apparatus situated in any part of the area;
- Primary Care Trust¹;
- Utilities and service providers; and
- Homes and Communities Agency.

3.12 In addition, the NPPF requires local planning authorities to work collaboratively with Local Nature Partnership (LNP) and Local Enterprise Partnership (LEP).

3.13 The Hertfordshire Local Enterprise Partnership (LEP) is a business-led partnership which aims to accelerate economic growth in the county and create jobs. It has an important role to play in encouraging inward investment, facilitating growth of the local economy and engaging with local businesses. The Council will work in partnership with the LEP in its efforts to consult with the local business community and potential inward investors.

3.14 The Hertfordshire Local Nature Partnership (LNP) is one of a number of LNPs across the country. Their main aims are to improve the range of benefits and services we get from a healthy natural environment, provide local leadership on environmental issues and to contribute to the green economy by linking with LEPs. They will also contribute to local authority planning and co-operate with other partnerships where this results in more efficient use of resources. Partnerships will be fully inclusive with representation from local authorities, community forums, government arms-length bodies, civil society organisations and environmental charities, existing biodiversity and green infrastructure partnerships, land owners, businesses, LEPs, health and wellbeing reps and education establishments.

3.15 Town and Parish Councils are an important set of consultees, as they have a key role to play in voicing community needs and issues. Meetings and information exchanges with Town and Parish Councils are an effective use of resources and assist in developing understanding between the Council and local communities on planning and development matters. The Council recognise that the majority of Hemel Hempstead is un-parished (with the exception of Nash Mills) compared to the rest of Dacorum which is parished. The lack of co-ordinated local representation at this level does somewhat reduce how effective and coordinated any active engagement across the town has been on strategic matters like the Local Plan. It continues to be difficult to find a community focus in the town together with the problem of there only being a limited number of active residents groups. To remedy this, however, ward members and ad hoc social platforms can play their role in helping to disseminate local community information.

3.16 Although not formally classified as a Specific Consultation Bodies, the Chilterns Conservation Board and the Canal and River Trust will also be notified with regard to planning policy consultations that could affect their areas of interest.

¹ Now replaced by the GP Clinical Commissioning Groups (CCGs)

(b) General Consultation Bodies

3.17 The Council must also ensure it consults the following groups:

- Voluntary bodies, some or all of whose activities benefits any part of the area;
- Bodies which represent the interest of:
 - different ethnic or national groups in the area;
 - different religious groups in the area;
 - disabled people in the area
- Persons carrying on businesses in the area.

(c) Other Consultation Bodies

3.18 Whilst not a requirement of Government regulations, the Council will also seek to consult the known interested parties, groups and organisations who may have an interest in planning policy matters:

- Environmental groups;
- Groups representing users, and the providers, of leisure, sport and recreation
- Health, education, social service and community based service providers
- Cultural, historical and archaeological groups or bodies
- Tenants panels
- Local residents and community associations
- Registered social landlords
- House builders and developers
- Landowners and land agents
- Public transport users and providers
- Groups representing retired and elderly persons
- Groups representing young people
- The Local Strategic Partnership (LSP).

(d) Wider Community

3.19 It is very important that the wider local community – people who live, work, run businesses and study in the borough are consulted. We always look to understand whom we need to try and talk to in the local community in order to ensure that we consult in the most effective way. This can include local residents; local interest groups; local businesses; local community groups and organisations. In certain circumstances we will seek to encourage higher response rates through focused consultation/engagement or publicity in areas which have historically and repeatedly been disproportionately underrepresented. For such areas, we will engage with our Communications Team to advise on a communications plan/strategy appropriate to the coverage/type of policy document being consulted upon.

3.20 The Strategic Planning team maintain an electronic database of consultees to involve at various stages of the plan making process. Members of the public who would like to be notified about planning consultations and the progress of documents can add their details to this database. This is referred to as the Local Plan consultation database.

To add yourself please visit:

<http://consult.dacorum.gov.uk/common/register.jsp>

Alternatively, those wishing to be added to, or deleted from this list should contact the Council at:

Email: strategic.planning@dacorum.gov.uk

Phone: 01442 228660

Write to: Strategic Planning
Dacorum Borough Council
The Forum
Marlowes
Hemel Hempstead. HP1 1DN

(e) Other Council Departments and Councillors

3.21 Relevant Council departments and key elected Members will be consulted through the preparation of new planning policies and guidance. Borough Councillors represent their constituents and therefore understand the communities they represent. A Member steering group (known as a Task and Finish Group) may be used to consider detailed issues and provide informal advice to Officers during the development of a Local Plan.

4. How We Will consult with you

Efficient Use of Resources

- 4.1 Consultation and the appropriate methods used at any particular stage will depend on:
- Geographic coverage of the document
 - Stage of the planning process reached
 - Nature of topic/area being considered
 - The appropriateness of the method for that particular consultation
 - Availability of resources
- 4.2 When preparing planning policy documents, the Council needs to balance the extent of community engagement with the available staffing and financial resources. Staff within the planning policy team will primarily be responsible for carrying out the consultation processes for the Local Plan.
- 4.3 In order to avoid consultation fatigue we will maximise opportunities for joint consultation within the Council and with our partners or rely on consultations carried out by other parts of the Council if appropriate for the topic.
- 4.4 Resources will be targeted to where they will be used most effectively. Workshops and focus groups are resource intensive and will therefore be used where a more considered response is required or where there is an opportunity to consider a topic in more depth to encourage greater participation from particular sections of the community.

Methods of Communication

- 4.5 Since the first Statement of Community was adopted in 2006, methods of interaction and communication with you have significantly changed. Internet access has increased and so our communication with you through digital means has increased with a shift towards online services and the Council will make best use of our website for planning consultations. All planning documents are available to view and access from our website: www.dacorum.gov.uk/planningpolicy or <http://consult.dacorum.gov.uk/portal>.
- 4.6 However, the Council recognises not all residents will have access to the internet. Therefore documents will also be made available in a variety of formats to enable widest possible audience to provide feedback on planning consultations. Particular efforts will be focused towards reaching 'hard to reach groups' such as young people, elderly people and those from ethnic minorities who do not often take part in planning consultations. Table 1 below explains the types of communications methods that will be used.

Table 1: Methods of Communication During Consultation

Method	Explanation
PAPER	
Documents made available for inspection	<p>Making documents available for inspection at specified 'Deposit Points' within the Borough is a minimum requirement set by planning regulations. Deposit points¹ are the Borough Council Offices in Hemel Hempstead, Berkhamsted and Tring. All three locations are accessible to people with disabilities.</p> <p>Copies of documents are also sent to local libraries² within the area and are usually held within the reference section.</p> <p>The availability of documents and opening times of the Deposit Points will be advertised in a number of ways, including letter / email, via the Council's website at www.dacorum.gov.uk/planningpolicy, and through statutory notices within the local press.</p> <p>Charges will apply for printed copies and background paper requests. The Regulations allow for a reasonable charge to be made for copies of documents requested by individuals or organisations. When providing printed copies, we must seek to cover our own costs – costs will be calculated on a case by case basis.</p>
Summary documents and questionnaires	<p>Summary documents and response forms/questionnaires will be made available on the Council's website at: www.dacorum.gov.uk/planningpolicy. These documents may be provided and posted out where necessary. Where these are not posted out, information regarding how to access such documents will be made available at deposit points and the Council's website during the course of a consultation.</p>
Mail Shots (letters and emails)	<p>Mail shots are used to notify relevant bodies of planning policy consultation events (depending on the issues raised), and are mainly used for statutory notification or to communicate with a specific group of bodies.</p> <p>The Council maintains a consultee database with those individuals and groups who wish to be informed of various stages of the Local Plan process. Before the start of the consultation, we will always notify statutory consultees, and those registered on our consultation database for planning policy matters, of the commencement dates and period for comment, along with clear guidance regarding how to comment.</p> <p>Email is an increasingly preferred means of communication on planning policy consultations. Email is a resource saving, quick and accurate way of communication with the public and various stakeholders.</p> <p>The Council will not send notifications by post where a valid email address is held. Where possible the Council will use email as opposed to posting hard copy documents and letters in order to support its move towards being a</p>

¹ As at August 2018:

The Forum, Marlowes, Hemel Hempstead, HP1 1DN
(Opening hours: Monday to Thursday: 8.45am to 5.15pm and Friday: 8.45am to 4.45pm)

Berkhamsted Civic Centre, 161 High Street, Berkhamsted, HP4 3HD
(Opening hours: Monday: 9.00am to 12.30pm, 1.30pm to 5.00pm; Tuesday 9.30am to 2.00pm and Thursday: 9.30am to 2.00pm)

Victoria Hall, Akeman Street, Tring, HP23 6AA
(Opening hours: Monday: 9.00am to 12.30pm, 1.30pm to 5.00pm; Wednesday: 9.30am to 2.00pm and Friday: 9.30am to 2.00pm)

² Hemel Hempstead Libraries (The Forum, Adeyfield and Leverstock Green Library), Berkhamsted Library, Tring Library, Bovington Library and Kings Langley Library.

Method	Explanation
	paperless authority. Where no email address is held, the Council will send a letter to interested consultees via the post.
Newspapers	<p>It is no longer a statutory requirement for local authorities to advertise consultation on planning policy documents in the local press. However, where appropriate the Council may decide to place an advert in the statutory notices page of The Gazette and St Albans Review (these are known as Public Notices). These notices will include information about where information can be found and consultation deadlines.</p> <p>Press releases will also usually be issued to the local media: although it will be a matter for the newspapers, local radio and television to decide if they wish to provide coverage of the story.</p> <p>Where appropriate, the Council may place informal notices in other newspapers circulating in the District. For example, provide supporting information to town and parish newsletters.</p>
Newsletters	<p>Town and Parish Councils and Ward Councillors in non-parished areas, will be encouraged to help raise the profile of consultation via their newsletters – both paper and online. Officers will provide assistance in writing articles and providing web links as required.</p> <p>A new Local Plan newsletter will provide regular updates for those who hold a valid email address on our Local plan consultation database. These newsletters will also be made available on our website at: www.dacorum.gov.uk/planningpolicy.</p>
DIGITAL	
Dacorum website and interactive online consultation portal	<p>Digital communication is the primary method of interaction, and is being promoted through the 'Digital Dacorum' initiative.</p> <p>The Council publicises information on forthcoming consultations, including start and finish times on the Planning Policies web page of its website: www.dacorum.gov.uk/planningpolicy. While individuals can 'provide feedback on our webpages', these comments may not be taken as comments being made to any formal planning policy consultations.</p> <p>All Planning policy documents, consultation documents and supporting information will be made available, together with a direct link to our interactive online consultation portal.</p> <p>Our consultation portal lists all planning policy consultations in one place, making it accessible and easy for people to comment online. By registering your details on this website individuals and organisations will also be directly notified of all forthcoming planning policy consultations they may be interested in. The feedback received on each consultation can also be read via this portal. The link to the online portal is: http://consult.dacorum.gov.uk/portal.</p> <p>Where appropriate links will be provided to this information from the Council's homepage, Planning News page, and Dacorum's current consultation page (available at: www.dacorum.gov.uk/home/do-it-online/consultation-feedback/current-consultation).</p>

Method	Explanation
Social Media	<p>With an increasing number of residents and businesses using various forms of social media, consultation notifications will be posted on the Council's social media pages (e.g. Facebook and Twitter). This will be used to link to our webpages which will inform people of upcoming consultation events, where they can view particular documents, how they can submit comments and where any exhibitions and workshops will be held.</p> <p>Follow us on Twitter at: @DacorumBC or Facebook at: www.facebook.com/dacorum. Any comments made to Council posts on social media will not be taken as comments being made to any formal planning policy consultations.</p>
FACE TO FACE	
Meetings with selected stakeholders and key interest groups	<p>This provides a useful way of identifying key issues, getting key bodies involved and achieving alignment with other strategies and initiatives. In certain circumstances, public or identified stakeholder meetings may be held. Discussion groups can also provide an opportunity to receive feedback on specific topic areas.</p> <p>The Council hosts an annual Town and Parish Conference which provides a useful forum to raise and discuss planning and development matters.</p>
Focus Groups/ Workshops /	Workshops and focus groups enable a range of stakeholders, including local residents, to influence and shape proposals in a way that helps meet their aspirations and concerns. These events are usually more helpful when held early on in the plan-making process. This could include targeted work with community and voluntary organisations (e.g. access groups).
Exhibitions	Whilst not suitable or necessary for all consultations, exhibitions provide a useful way of conveying key pieces of information and providing a mechanism for stakeholders to understand the role and content of the consultation and discuss issues with Officers. Public exhibitions can be either staffed (e.g. market stalls) and unstaffed (static exhibitions).

Engaging with everyone

4.7 Dacorum Borough Council recognises that the planning system can seem complex and confusing, so will try to make consultation documents as accessible as it can. Table 2 sets out some of the potential challenges facing the Council and the solutions that will be put in place to help maximise consultation participation.

Table 2: Methods to Overcome Consultation Challenges

Nature of Challenge	Solution
Language barriers may affect the community's ability to understand oral and written communications.	If you would like this information in another format, such as CD (audio) or in another language please contact strategic.planning@dacorum.gov.uk . The Strategic Planning team are able to explain and assist interpretation of planning policy, if required.
Low uptake of online services due to low incomes or lack of IT skills.	Documents will be made available in paper form as well as online. The community is able to access online services by using the public computers at either Dacorum's council offices or within the local libraries.
Young people are less responsive to traditional forms of consultation.	Innovative and interactive consultation methods will need to be employed to engage this section of the community, including increasing use of social media.
Varied working hours and other commitments.	Use of the Council's website and online consultation portal will help ensure people with work and other commitments can be involved in consultations. Where possible, exhibitions will run from daytime into evenings to provide all interested parties with the greatest opportunity to attend.
Certain stakeholders or interested parties dominating consultation for example, some areas may be dominated by business and some by residents.	A mix of consultation to be used to ensure effective coverage of interested parties (e.g. residents and businesses) and encourage feedback from both communities
Lack of public understanding of the planning system	Unnecessary technical jargon will be avoided. Where appropriate, summary documents will be made available.

5. When We Will Consult

Introduction

- 5.1. We will consult on our Planning Policy documents at the relevant stages of plan-making, and we will be guided by up to date legislation and Government guidance.
- 5.2. We will carry out Planning Policy consultations in line with the principles for engagement as set out in this SCI, and in accordance with the latest timetable agreed in our Local Development Scheme (LDS).
- 5.3. Consultation periods differ depending on the nature of the planning policy document being consulted upon. Some may be very focused consultations while others may seek to engage the full community (it will depend on the content of the document). Legislation currently requires us to consult on planning policy documents for a minimum statutory period (see Table 3).

Table 3: Minimum Statutory Period for Consultation on Planning Policy Documents

Planning Policy Document	Minimum Statutory Period for public consultation
Development Plan Document (DPD) (e.g. Dacorum Borough Local Plan, Core Strategy, Site Allocations Document or an Action Area Plan)	6 weeks
Supplementary Planning Document (SPD) (e.g. A site development brief or a 'theme-specific' document such as the Affordable Housing SPD)	4 weeks
Community Infrastructure Levy (CIL)	4 weeks
Scoping of Sustainability Appraisal/Strategic Environmental Assessment	5 weeks
Local Development Order (LDO)	28 days
Neighbourhood Plan Area Designation	4-6 weeks (when necessary)
Draft Neighbourhood Plan/Neighbourhood Development Order (NDO) (i.e. pre-submission; publication)	6 weeks
Community Right to Build Order (i.e. pre-submission; publication)	6 weeks
Statement of Community Involvement (SCI)	6 weeks

- 5.4. The statutory periods in Table 3 are currently guided by the relevant and up to date regulations. Should an update to the relevant legislation indicate any changes to the periods for consultation, we will ensure this is reflected in any forthcoming Planning Policy consultations that we undertake (and then in due course, seek to update the SCI to reflect this).

5.5. We may seek to extend our consultations in certain circumstances, for example, where a public holiday, or a school holiday, falls within the consultation period. We always try to minimise undertaking consultations during holiday periods, however in the event that our consultations do cross over a holiday period we will always seek to extend the deadline to account for this. All of our consultations will run for at least two weeks outside of the school holiday period.

How can I see comments made on Planning Policy documents by others?

5.6. The comments we receive on our planning policy documents will be made publically available online at the earliest opportunity, once the consultation has finished. The comments will be made available to view at: <http://consult.dacorum.gov.uk/portal>.

How will we respond to you when you comment on a Planning Policy document?

5.7. For consultations on matters related to plan-making, we do receive a high volume of correspondence, and it is difficult to respond to each individual comment that we receive on a particular consultation. All consultation responses received within the allocated timescale will be acknowledged and taken into account to inform the decisions the Council makes. All comments received will be made publically available via the consultation portal and hard copies made available for public inspection at the Council offices.

5.8. We therefore publish a summary of the responses we receive from consultations at each stage of consultation. These are called Consultation Statements.

5.9. Each Consultation Statement sets out how the comments made during the consultation have been considered by the Council before moving to the next stage of plan-making. This will provide information about:

- Who was consulted;
- Consultation techniques used;
- Dates of consultation period(s); and
- The main issues raised and Council's response to these.

These consultation reports will assist Officers and elected Members in deciding what changes may need to be made to a planning policy document before it is progressed. We make our Consultation Statements available on our website at: www.dacorum.gov.uk/planningpolicy. This can be electronically viewed from our council offices and local libraries.

5.10. These consultation reports will assist elected Members in deciding what changes may need to be made to a document before it is adopted.

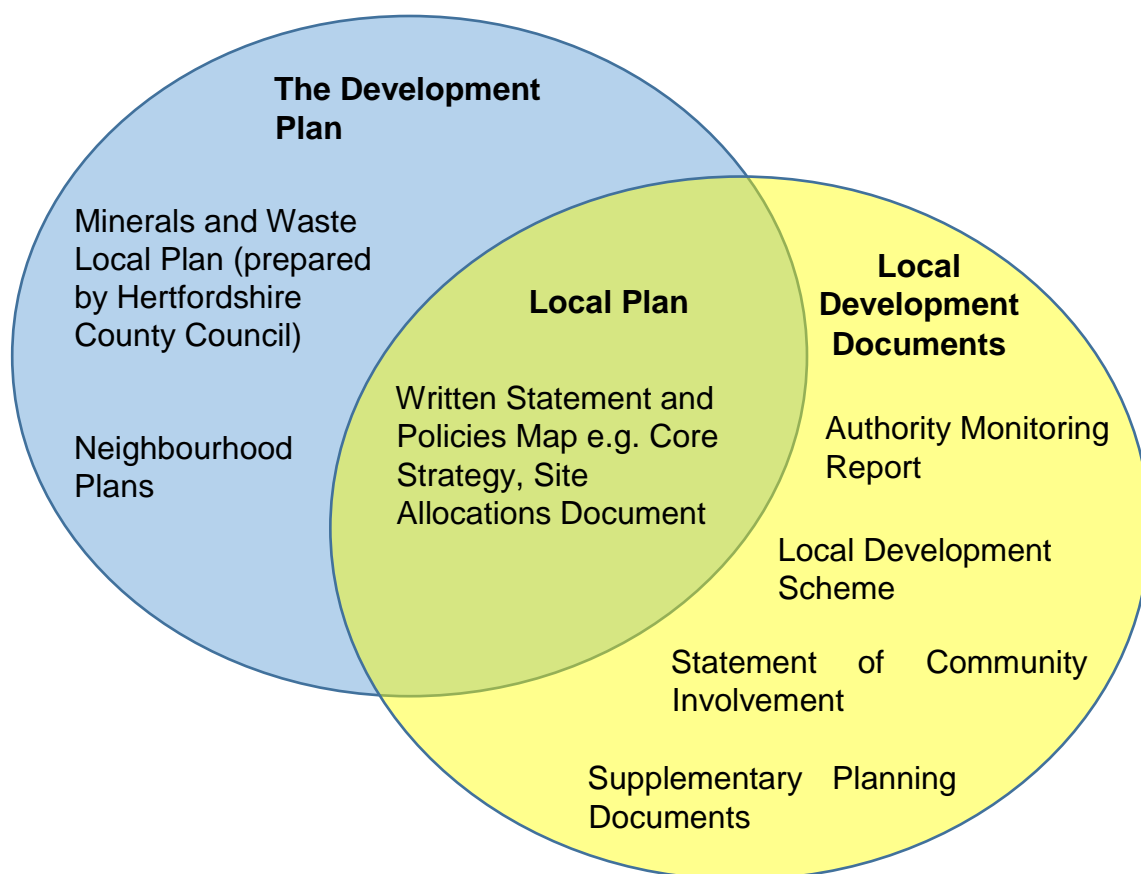
5.11. Any decisions made by the Council following consultation will also take into account a number of external factors including government policies, guidance, technical evidence and the Sustainability Appraisal.

What kinds of Planning Policy documents are prepared?

5.12. As a local planning authority, Dacorum Borough Council is required to produce plans about new development in the area over a 15-20 year period. These plans need to assess the type and quantity of new housing, ensure there is sufficient land for employment needs, decide where to locate new development and enable delivery of other facilities that will be required by the development (shops, open space, community infrastructure, utilities etc.). Whilst delivering such plans it is essential that Borough's character and environment is conserved and where possible enhanced, ensuring that Dacorum remains a place where people wish to continue to live and work in the future. Involving the local community and other interest groups in these plans is very important.

5.13. A number of different types of planning documents will be prepared (see Figure 1).

Figure 1: Types of Plan Making Document



5.14. As illustrated above, Government classifies some documents as Local Development Documents (LDD), whilst others are called Development Plan Documents (DPD). The Local Plan is both a Local Development Documents and Development Plan Documents.

5.15. DPDs are the main documents the Council will use when determining planning applications. LDDs play a supporting role: providing additional planning advice

or information relating the preparation and performance of the Local Plan. Further information on the different documents is set out below.

Local Plan

- 5.16. Dacorum Borough Council has begun work on a new Local Plan. This will incorporate the early partial review of the Core Strategy adopted in September 2013. This new Local Plan will be pivotal to delivering Dacorum Borough Council's vision for the next 15-20 years. It is expected that the plan will comprise a single written document, with an associated Policies Map, rather than a series of separate documents. Where appropriate, it will be supported by appropriate Supplementary Planning Documents (see below).
- 5.17. The Local Plan will contain planning policies, site allocations and other designations, all of which will be taken into account when deciding planning applications.
- 5.18. It will be subject to rigorous procedures including public consultation with the community and examination by an independent Inspector. It must be found 'sound' by the Inspector before it can be adopted by the Council.
- 5.19. The Local Plan also requires a Sustainable Appraisal (SA) (incorporating Strategic Environmental Assessment (SEA)) where the economic, social and environmental impacts of a plan are considered. This Sustainability Appraisal must also be made available as part of the consultation. The council will consult on draft SA/SEA reports alongside the draft version of the plan to which it relates. For example, the SA Report will be published alongside the Publication Version of a Local Plan. It may also be appropriate to publish any SEA reports alongside earlier versions of the consultation documents. To view the stages in preparing an SA (incorporating SEA), please see Appendix 3.
- 5.20. Arrangements for consultation will depend on which stage the plan has reached (see Figure 2). These arrangements are summarised below. References to regulations relate to the Town and Country Planning (Local Planning) (England) Regulations 2012.

Figure 2: Stages in preparing the Local Plan



To view these stages in greater level of detail, please see Appendix 3

Stage 1: Prepare Plan (Regulation 18)

This stage covers the 'Issues and Options' stage (as well as what was referred to as 'Preferred Options' stage) and also any draft plans published for comment.

Whilst the plan is being prepared, it is important that the local community have the opportunity to identify local issues and influence options for future development and examine the emerging technical evidence.

What will Dacorum Borough Council do?

- Maintain and update our Local Plan consultation database.
- Advertise any consultation and clearly identify how and where material can be viewed and accessed.
- Ensure compliance with current planning regulations, consulting more widely where it is relevant to do so.
- Make the plan and supporting documents available online and in printed copy if necessary.
- Make summary documents, maps and diagrams explaining key issues publically available online and printed if necessary.
- Take comments received into account alongside technical evidence and national policies and guidance.
- Where relevant, prepare a Consultation Report setting out the consultation processes, summarising the main issues raised and the Council's response.

Who will Dacorum Borough Council Consult?

- Consult specific, general and other consultation bodies where appropriate (full list in Section 3 of this document).
- Consult the wider community at least once during this stage in the production of the document.

How will Dacorum Borough Council Consult?

A wide range of types of consultation will be used during this stage in order to understand key issues and views. Methods will include one or more of the following:

- Contact persons registered on the Council's Local Plan consultation database (by letter or email) and via the online consultation portal.
- Events, displays, exhibitions, surveys and meetings as appropriate.
- Surveys and questionnaires.
- Workshops or focus groups.
- Drop-in events, displays or exhibitions.
- Make plans available on our website and at deposit points.
- Targeted measures for hard to reach groups.
- Raise awareness of consultation via the Council's social media platforms.

Stage 2: Publish Proposed Submission (Regulations 19, 20 and 22)

This stage is often referred to as 'Pre-Submission.'

Dacorum Borough Council will prepare and consult on the final draft of the plan prior to submission to the Secretary of State for Examination. Representations submitted at this stage will be forwarded to the Planning Inspector.

What will Dacorum Borough Council do?

- Consult on the plan for at least 6 weeks.
- Publicise where and when the documents can be inspected through what is called a 'Statement of Representations Procedure.'
- Make the plan and supporting documents available online and in printed copy if necessary.
- When appropriate, publish summary documents, maps and diagrams explaining key issues.
- Raise awareness of consultation via the Council's social media platforms.
- Take into account all comments made within the consultation period and if necessary, make changes to the plan before it is submitted to the Secretary of State. Prepare a Consultation Report setting out the consultation processes, summarising the main issues raised and the Council's response.
- Notify consultees of the submission of the plan by letter or email.

Who will Dacorum Borough Council consult?

- All consultees listed in Section 3 of this document, including all who submitted comments at earlier stages.

How will Dacorum Borough Council consult?

- Contact persons registered on the Council's consultation database (by letter or email) and via the online consultation portal.
- Make plans available on our website and at deposit points.
- Raise awareness of consultation via the Council's social media platforms.

Stage 3: Examination (Regulations 23 and 24)

Dacorum Borough Council is required to submit a plan and supporting information to the Secretary of State for a public examination. The independently appointed Inspector will take into account written comments on the plan and if invited by the Inspector, those who commented can also appear at the examination to speak in support of, or against the plan.

What will Dacorum Borough Council do?

- Make a copy of the full Examination library supporting the plan available online and at the Borough Council offices in Hemel Hempstead.
- Appoint a Programme Officer who will publish full details of the Examination of the Plan on the Council's website.

Stage 3 continued: Examination (Regulations 23 and 24)

- Ensure everyone who commented on the plan at Proposed Submission stage is aware of the Examination at least 6 weeks in advance.

Who will Dacorum Borough Council consult?

- Specific, general and other consultation bodies who previously were invited to make representations on the plan, and those who requested to be notified, about the submission of the plan to the Secretary of State.
- The Programme Officer will notify all those who commented on the plan at stage 2: Proposed Submission Document with details of the Examination.

How will Dacorum Borough Council Consult?

- Notify relevant people and organisations on the Council's Local Plan consultation database (by letter or email).

Stage 4: Adoption (Regulations 25 and 26)

The Council will consider the Inspector's Report issued following the examination.

Changes will be made where appropriate (this may require a focused consultation on the modifications) and then the document will be formally adopted.

What will Dacorum Borough Council do?

- If a main modifications consultation is undertaken, prepare a Consultation Report setting out the consultation processes, summarising the main issues raised and the Council's response. The Inspector will then consider these additional comments received.
- Publish the Inspector's Report and notify bodies who requested to be notified.
- Make the adopted Plan, Sustainability Appraisal Report, Adoption Statement and other relevant information available for inspection at the Council's Hemel Hempstead office and on the Council's website.
- Publish the adopted document and place an Adoption Statement on the website.

Who will Dacorum Borough Council notify?

- The Adoption Statement will be sent to all individual and organisations who asked to be notified, and to the Secretary of State.

Supplementary Planning Documents

5.21. Supplementary Planning Documents (SPDs) provide additional guidance on adopted policies in the Local Plan. They include issue-based documents, design guidance and site master plans and briefs. Their role is to provide more detail about how policies in the Local Plan should be used. SPDs will also be prepared

with the involvement of relevant consultees. They are not subject to examination by an independent Inspector and therefore, can be produced more quickly, but do need to be formally adopted by the Council.

5.22. Figure 3 below identifies the stages used in the preparation of Supplementary Planning Documents. References to regulations relate to the Town and Country Planning (Local Planning) (England) Regulations 2012.

Figure 3: Stages in Supplementary Planning Documents



To view these stages in greater level of detail, please see Appendix 3.

Stage 1: Prepare Draft Supplementary Planning Document

The scoping stage helps gather ideas and look at alternative approaches before preparing the document. This may be a very informal consultation to identify relevant issues or matters to be considered.

What will Dacorum Borough Council do and who will we consult?

- Consult organisations and individuals who are relevant to the successful implementation of Supplementary Planning Document.
- Consider wider consultation, depending on scope and content of document.

How will Dacorum Borough Council consult?

Consultation will vary depending on the type of SPD. A variety of methods will be considered, including:

- Contact persons and bodies registered on the Council's Local Plan consultation database, especially where interest in geographic area or subject has been registered.
- Make documents available on our website and at relevant deposit points.

We will also consider if the following is appropriate/relevant:

- Workshops or focus groups.
- Meetings.
- Drop in events.
- Exhibitions.

Stage 2: Publish Draft Supplementary Planning Document (Regulations 12 and 13)

Dacorum Borough Council is required to consult on the Supplementary Planning Documents it produces. Publishing draft copies of the document provides an opportunity for comments to be made and for the Council to consider these and to make any necessary changes prior to the document being finalised.

What will Dacorum Borough Council do and who will we consult?

- Consult on the document for at least 4 weeks.
- Publicise where and when the document can be inspected.
- Consult specific, general and other bodies to whom the Supplementary Planning Document may be relevant.
- Consult residents and businesses in the area, depending on nature of document.
- Consider and report all comments received.
- Prepare a Consultation Report setting out the consultation processes, summarising the main issues raised and the Council's response.

How will Dacorum Borough Council consult?

The way Dacorum Borough Council will consult will vary due to the nature of the Supplementary Planning Document being consulted. Ways we will consult include:

- Contact persons and bodies registered on the Council's Local Plan consultation database.
- Make plans available on our website and at relevant deposit points.

We will also consider:

- Workshops or focus groups.
- Meetings.
Drop in events.

Stage 3: Adoption (Regulation 14)

Once Dacorum Borough Council has taken into account comments and made any changes, it will be adopted by the Council's Cabinet. Independent examinations for Supplementary Planning Documents are not required.

What will Dacorum Borough Council do?

- Adopt the Supplementary Planning Document.
- Publish the adopted document and place an Adoption Statement on the website.
- Make documents available for inspection at the deposit points.

Who will Dacorum Borough Council Notify?

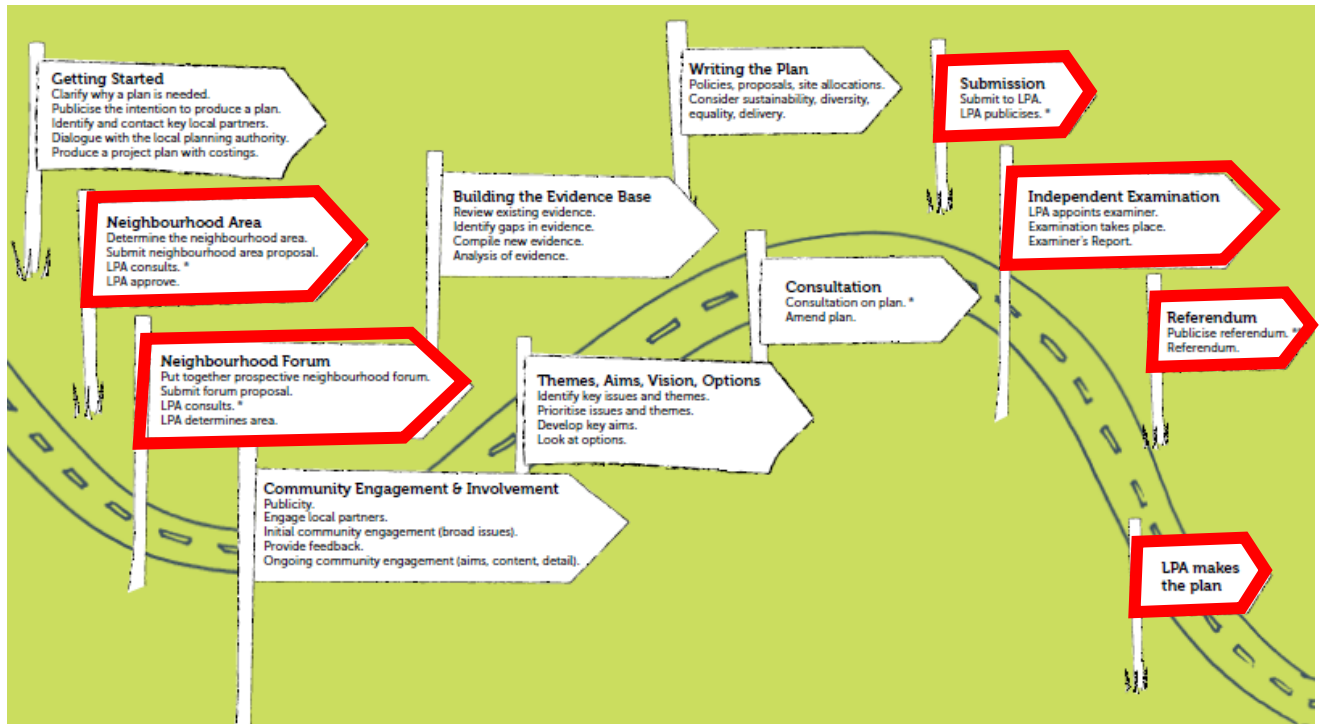
- Send copy of the Adoption Statement to anyone who has asked to be notified.

Neighbourhood Plans

- 5.23. The regulations for Neighbourhood Planning came into force on 6th April 2012. The Localism Act 2011, together with these regulations, places various duties and responsibilities upon the Council and made provision for the preparation of Neighbourhood Plans directly by local communities. There are two main mechanisms for neighbourhood planning – Neighbourhood Plans and Neighbourhood Development Orders.
- 5.24. A Neighbourhood Plan is a way of helping local communities to influence the planning of the area they live and work in. If a plan is prepared and agreed by the community in a referendum it will become part of the development plan for the area and be used in the determination of planning applications.
- 5.25. Neighbourhood Plans let people set out their vision for their local area and general planning policies to guide development in their neighbourhood. Neighbourhood Plans can only be prepared by Town and Parish Councils or by a designated Neighbourhood Forum.
- 5.26. The Council will continue to proactively engage with communities who wish to prepare a neighbourhood plan. We will support communities in planning effectively for their towns and villages. Although a draft neighbourhood development plan must be in general conformity with the strategic policies contained in the development plan for the area of Dacorum Borough. Dacorum's strategic policies have therefore been defined as those policies which are important to:
- the supply of land for strategic uses to meet strategic needs such as housing, employment and transport;
 - the provision or retention of key services and facilities to help achieve sustainable development across the Borough;
 - the protection and/or enhancement of strategic environmental assets important to a Borough-wide population; and/or
 - those supporting specific policies identified in the NPPF which the Government identifies as strategically important in restricting development.
- 5.27. A Neighbourhood Development Order (NDO) can be used to grant planning permission for types of development (in full or outline) without the need for planning permission. When preparing an NDO, it must still be in line with national and local policy and other legal requirements. If a NDO or community right to build order were being proposed then it would be useful for them to be submitted to the local planning authority at the same time as the proposed neighbourhood plan. This allows them to be dealt with concurrently at the examination and referendum stages.
- 5.28. It is the responsibility of the relevant body (a parish/town council or designated neighbourhood forum in an unparished area who are known as 'qualifying bodies') to prepare the Neighbourhood Plan and to undertake an inclusive consultation, although the borough council has a duty to assist. Conducting a wide-reaching consultation procedure is in the interest of the relevant body as the plan or order can only be adopted after a referendum in which over 50% of voters support the plan or order. Neighbourhood Plans must also conform to national planning policy, the development plan for the area and other "basic

conditions”. The process for making a Neighbourhood Plan or a Neighbourhood Development Order is different to preparing a Local Plan or a Development Plan Document. The key stages are shown below, those which the Local Planning Authority lead upon are highlighted by the red flags in Figure 4 below.

Figure 4: Stages in Neighbourhood Plan making



To view these stages in greater level of detail, please see Appendix 3.

5.29. Local authorities should screen the emerging neighbourhood plan for strategic environmental assessment (SEA) or habitat regulations assessment (HRA). There is also a requirement for local planning authorities to notify parish councils or neighbourhood forums of planning applications in their neighbourhood areas.

It is common to apply for the neighbourhood area first, then the neighbourhood forum.

Stage 1(a): Neighbourhood Area

There is a lot a community can do before this stage in considering the issues and aspirations their plan might cover. The parish or town council or prospective neighbourhood forum need to submit a map identifying the proposed neighbourhood area, a statement explaining why the area is appropriate to be designated and confirmation that the body making the area application is capable of being a ‘qualifying body’.

Once the neighbourhood area is designated, parish or town councils may formally commence work on the plan.

Stage 1(a) continued: Neighbourhood Area

What will Dacorum Borough Council do and who will we consult?

- Consult organisations and individuals who are relevant, for example: consult with the relevant statutory bodies (e.g. Environment Agency, Natural England and Historic England), neighbouring councils and adjoining town and parishes.
- We will always consult with those bodies identified in Schedule 1 of the Neighbourhood Planning (General) Regulations 2012

How will Dacorum Borough Council consult?

Consultation will vary depending on the extent of the area consulted upon. A variety of methods will be considered, including:

- Publicise the area designation application for a 6 week period
- Make documents available on our website and at relevant deposit points.

We will also consider if the following is appropriate/relevant:

- Contact persons and bodies registered on the Council's Local Plan consultation database, especially where interest in geographic area or subject has been registered.
- Consult any neighbouring local, town or parish councils, significant landowners, local businesses and local community organisations, such as chambers of commerce, civic societies and local trusts.

An exception to this is applications submitted by parish or town councils for designation of the whole of its area as a neighbourhood area. The local planning authority has to designate the neighbourhood area in such circumstances, so there are no publicity requirements.

Stage 1(b): Neighbourhood Forum

Where there is a town or parish council, then that is the neighbourhood planning body for producing a neighbourhood plan. There is no need to put together a neighbourhood forum in this instance, as parish or town councils may choose to put together a steering or working group(s) of community representatives to assist in the process.

What will Dacorum Borough Council do and who will we consult?

- Consult organisations and individuals who are relevant, for example: consult with the relevant statutory bodies (e.g. Environment Agency, Natural England and Historic England), neighbouring councils and adjoining town and parishes.
- We will always consult with those bodies identified in Schedule 1 of the Neighbourhood Planning (General) Regulations 2012

Stage 1(b) continued: Neighbourhood Forum

How will Dacorum Borough Council consult?

Consultation will vary depending on the extent of the area consulted upon. A variety of methods will be considered, including:

- Publicise the area designation application for a 6 week period

Make documents available on our website and at relevant deposit points.

We will also consider if the following is appropriate/relevant:

- Contact persons and bodies registered on the Council's Local Plan consultation database, especially where interest in geographic area or subject has been registered.

The qualifying body will draft the Neighbourhood Plan and consult upon the Pre-Submission version of the plan (Regulation 14). The qualifying body will consider whether there are any necessary changes to be made prior to the document being finalised.

Stage 2: Bringing the plan into force

The local authority will publicise the plan (Regulation 16) and arrange for the independent examination and arranging for the referendum to take place.

Stage 2(a): Submission of plan (Regulation 16)

The submission must include a map or statement of the area, a consultation statement, the neighbourhood plan proposal and a basic conditions statement. The publicity of the plan gives people an opportunity to make representations that will be passed to the independent examiner.

What will Dacorum Borough Council do and who will we consult?

Consult organisations and individuals who are relevant, for example: consult with the relevant statutory bodies (e.g. Environment Agency, Natural England and Historic England), neighbouring councils and adjoining town and parishes.

- We will always consult with those bodies identified in Schedule 1 of the Neighbourhood Planning (General) Regulations 2012
- Consult with any interested parties who registered interest in the emerging plan and wished to be kept informed of its progress.
- Any party who has made a representation on the neighbourhood plan (summarised in the consultation statement).

How will Dacorum Borough Council consult?

Consultation will vary depending on the extent of the area consulted upon. A variety of methods will be considered, including:

- Publicise the area designation application for a 6 week period
- Publicise where and when the document can be inspected.
- Make documents available on our website and at relevant deposit points.

Stage 2 continued: Bringing the plan into force

We will also consider if the following is appropriate/relevant:

- Contact persons and bodies registered on the Council's Local Plan consultation database, especially where interest in geographic area or subject has been registered.

Any representations made will be passed to the independent examiner. This means they will be considered within the remit of the independent examination (i.e. whether the neighbourhood plan proposal meets the basic conditions).

Stage 2(b):Examination (Regulation 17 and 18)

The independent examiner will take into account written comments on the plan and will also consider whether the proposed neighbourhood plan meets the basic conditions and other requirements set out by law. Following the examination, the examiner will issue a report to the local authority and the neighbourhood planning body. The Council will consider the Inspector's Report issued following the examination.

What will Dacorum Borough Council do?

- Publish the Inspector's Report and notify bodies who requested to be notified.

Who will Dacorum Borough Council notify?

- Notification will be sent to all individual and organisations who asked to be notified, and to the Secretary of State.

Stage 2(c):Referendum

If there is a majority yes vote, then the neighbourhood plan is made and becomes part of the statutory development plan for the area. This process will be managed by Democratic Services/Election Services (in line with relevant regulations/legislation).

The local authority is required to publish information about the neighbourhood plan 28 working days before the date of the referendum. Then 25 working days before the date of the referendum, they are required to give notice that a referendum is taking place and the date of the poll.

Stage 2(d):Adoption (Regulation 20)

What will Dacorum Borough Council do?

- Publish the adopted document, decision notice and other relevant information available for inspection at the Council's Hemel Hempstead office and on the Council's website.

Who will Dacorum Borough Council notify?

- The Adoption Statement will be sent to all individual and organisations who asked to be notified, and to the Secretary of State.

What is the district council's role in Neighbourhood Planning?

5.30. The Council has a 'duty to support' qualifying bodies preparing Neighbourhood Plans in accordance with the relevant regulations. The support we will provide at the key stages of neighbourhood plan preparation include the following:

- confirming the geographical area of the neighbourhood plan;
- providing mapping information;
- providing statistical data which we hold or suggesting the best contact when it is held by a third party;
- acting as critical friend in reviewing/ testing emerging policies;
- undertaking the formal consultation (Regulation 16) on the draft neighbourhood plan prior to its independent examination;
- arranging the independent examination;
- holding the referendum;
- 'making' the neighbourhood plan part of the development plan where all legal requirements have been met.

5.31. The Council will also seek to provide informal guidance and support where this is practical. This could include, for example, providing policy guidance to support neighbourhood planning steering groups.

Further support available for Neighbourhood Planning is listed in Appendix 2.

Local Development Orders (LDOs)

5.32. A Local Development Order (LDO) is made by the council and grants planning permission to specific types of development within a defined area.

5.33. The purpose of the LDO is to streamline the planning process by removing the need for developers to make a planning application to the council.

5.34. The extent of public consultation will depend on the nature and scale of the proposal. For example, an LDO for a specific site may require focussed consultation with the town and/or parish and a range of community groups. Proposals for a Local Development Order that cover a broader scope may require wider and proportionate consultation where necessary.

To view the stages in preparing a LDO, please see Appendix 3.

Local Development Schemes (LDS)

5.35. The Local Development Scheme sets out the programme for the preparation of the Local Plan. A copy is available on the Council's website:

www.dacorum.gov.uk/planningpolicy

5.36. Due to the factual nature of its content, it is not subject to public consultation.

Authority Monitoring Report (AMR)

5.37. Previously referred to as the 'Annual Monitoring Report', this document is produced by local authorities to assess progress with (the preparation and implementation), and the effectiveness of, plan-making documents. These are

also available to view on the Council's website:
<http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/monitoring-reports-and-land-position-statements>

5.38. Due to the factual nature of its contents, it is not subject to public consultation.

Other Planning Policy Documents

Informal Masterplans and Planning Statements

5.39. Sometimes the Council will prepare a masterplan or planning statement relating to a site or area that does not require the formal status of a Supplementary Planning Document (SPD). These documents will usually involve some consultation, but this will be more limited and targeted than required by the regulations governing formal SPDs.

Community Infrastructure Levy (CIL)

5.40. The CIL is a new way of collecting contributions from developments towards the provision of infrastructure required to support growth within Dacorum. It is a tariff that will be applied per square metre of new development which may vary by scale, use and geography. Dacorum Borough Council is responsible for setting a CIL charge, collecting CIL money and allocating money for infrastructure projects. The CIL charge is applicable to developments that received planning permission on or after 1 July 2015. To view the key stages to prepare CIL, please see Appendix 3.

Advice Notes / Clarification Notes

5.41. From time to time the Council may prepare documents that provide additional advice or clarification about how it will apply policies or processes. Consultation will not usually be required on these documents, as their role is to explain the application of existing policies or processes which will have already been subject to consultation.

Matters Outside of District Control

The Hertfordshire Minerals and Waste Local Plan

5.42. These plans are produced by Hertfordshire County Council and set out policies and proposals relating to mineral and waste developments in Hertfordshire. Dacorum Borough Council is not directly involved in writing these plans but is a statutory consultee. Hertfordshire County Council has produced its own SCI for matters it is responsible for and will carrying out consultation in accordance with this:

<http://www.hertsdirect.org/services/envplan/plan/hccdevplan/sci1/>

PART B: Community Involvement in the South West Herts Joint Strategic Plan (JSP)

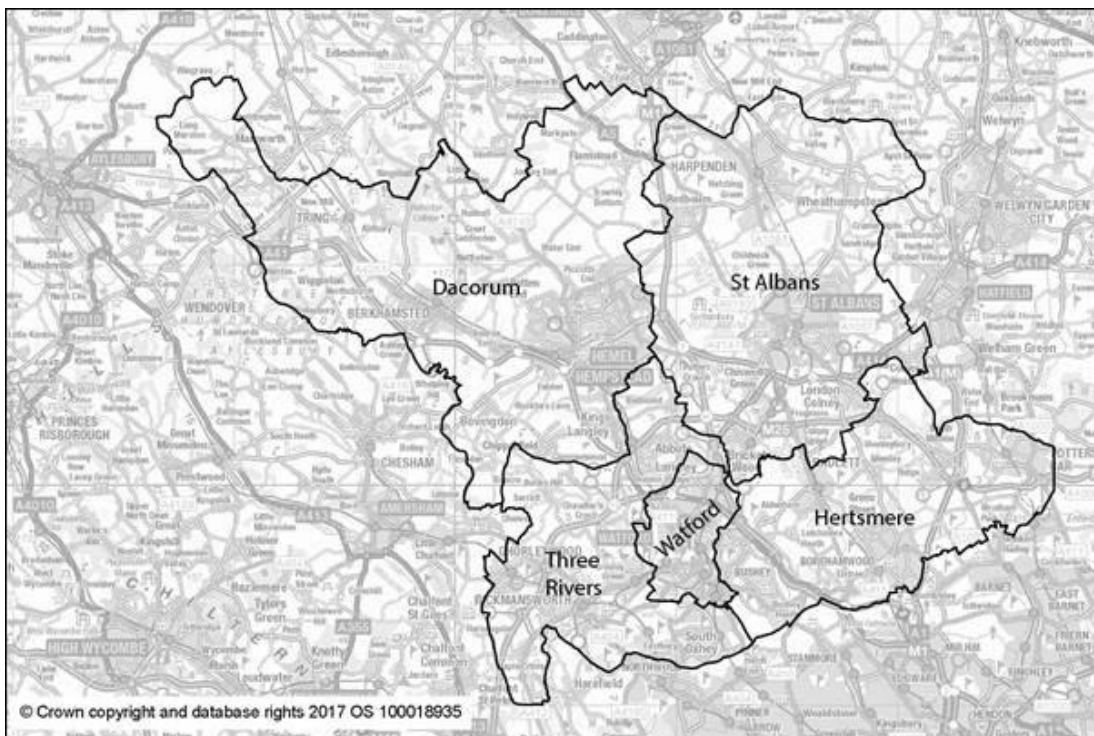
6. Introduction

- 6.1. This Part C Statement of Community Involvement (SCI) sets out a consistent approach for consultation and involvement on preparing a South-West Hertfordshire Joint Strategic Plan (JSP). This Part C SCI provides an addendum to each of the existing SCI's for the five South-West Hertfordshire authorities working in partnership on the JSP: Dacorum Borough, Watford Borough, Hertsmere Borough, Three Rivers District, and St. Albans City & District Councils.
- 6.2. This Part C SCI sets out the consultation approach for the JSP only and not on other planning documents or on planning applications. All five authorities' existing Statements of Community Involvement will continue to set out the approach to consultation and involvement for other planning policy documents and planning applications, and these are not affected by this Part C document. Please refer to each authority's website for details.

What is the South West Herts Joint Strategic Plan (JSP)?

- 6.3. In Spring 2018, Dacorum, Hertsmere, St Albans, Three Rivers, and Watford Councils gave formal endorsement to begin work on a Joint Strategic Plan (JSP) for South-West Hertfordshire (see Figure 5 below).

Figure 5: Extent of South-West Hertfordshire Joint Strategic Plan Area



- 6.4. The South-West Herts JSP will provide the overarching strategic planning framework for the five Local Planning Authority areas. Hertfordshire County Council will also assist with preparing the JSP. The South-West Herts JSP will

contain strategic allocations and policies, including an overall spatial strategy and amount of housing, employment and supporting infrastructure to be provided. It will cover the period up to 2050.

6.5. The key stages to be undertaken in preparing the South-West Herts JSP are set out in Figure 6. Consultation is required at various stages during JSP preparation, including “Publication” stage, after which it will be submitted to Government. An independent Planning Inspector then carries out an Examination into the document, considering the views of interested people. The final decision on the soundness of the Plan will be made by that Inspector, after which the plan will be adopted by the five councils. You can find government guidance on preparing local plans here: www.gov.uk/guidance/local-plans.

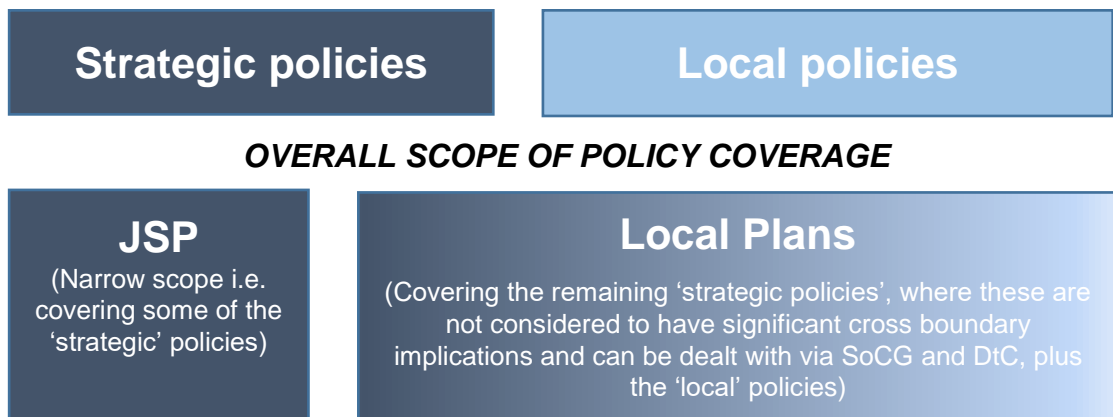
Figure 6: Key stages in preparing the South-West Herts Joint Strategic Plan (JSP)



* The Town and Country Planning (Local Planning) (England) Regulations 2012

6.6. Each council will continue to be responsible for preparing its own Local Plan, but the JSP will also provide the platform to consider how the challenges of growth in the wider South-West Hertfordshire area can be addressed longer term (i.e. to 2050). Figure 7 below illustrates how these two key planning documents will fit together.

Figure 7: Relationship between the South West Herts JSP and Local Plans



6.7. By working together, the South-West Hertfordshire Local Authorities will also be in a stronger position to deliver and better fund essential local transport links, health services and educational facilities that local people want to see alongside new homes and jobs.

General Principles for Consultation on the South West Herts JSP

6.8. We will apply some general principles to our JSP consultation.

- Involvement will be open to all regardless of gender, faith, race, ethnicity, disability, sexuality, age and social deprivation.
- We will undertake consultation as the plan is prepared.
- We will choose consultation processes by balancing available resources, cost and time constraints, and our level of discretion on the outcome.
- Consultation publications will be clear and concise and avoid unnecessary jargon, without understating the complexities of any decision.
- Enough time (minimum of 6 weeks) will be given for responses.
- We will inform those who respond to a consultation of later stages in the process, where required.

Who we will consult on the Joint Strategic Plan?

6.9. We will consult with the following as we jointly prepare the JSP:

- Statutory organisations including councils, infrastructure providers and government bodies as legally required or otherwise appropriate.
- The general public.
- Groups representing place or interest communities.
- Local business, voluntary and other organisations.
- Planning and development industry and consultants.
- Others who have expressed an interest in the subject matter.

How we will consult on the Joint Strategic Plan?

6.10. We will consult in the following ways as we prepare the JSP:

- We will contact appropriate organisations and individuals directly.

- We will publicise consultations by a combination of methods, as appropriate, such as: website, press release, displays, social media, community groups, community events.
- We will make consultation documents available at council offices and public libraries where appropriate.
- Consultation documents will be made available for download via each Council's website.
- We will consider organising consultation events such as public exhibitions and stakeholder workshops.
- We will publish comments received or a summary as soon as feasible. We will explain how these comments have been taken into account when decisions are made.

When we will consult on the Joint Strategic Plan?

- 6.11. The new South-West Hertfordshire Joint Strategic Plan is in the initial stages of preparation. It is envisaged that an Issues and Options consultation on a draft JSP will take place in late Summer 2019.
- 6.12. In preparing the Issues and Options consultation, we will undertake targeted engagement with organisations and key stakeholders to help us develop the draft Plan option for consultation.
- 6.13. After considering the responses to the Issues & Options consultation we will formally publish the Pre-Submission Plan in August 2020. Following consultation on that Plan, we will formally consult on the 'Publication Version' of Plan for representations in accordance with the relevant regulations before submission to Government and independent examination.

PART C: Community Involvement in the Planning Application Process

7. Introduction

- 7.1 For many people, the submission of a planning application, on a neighbouring or nearby site or premises, is the first, and possibly, the only time that they will become directly involved in the planning system. It is important that anyone who feels that they may be affected by a development proposal or has an opinion that they wish to be taken into account before a decision is made, is able to take part in and respond to consultation.
- 7.2 This section sets out the consultation requirements for applicants before a planning application is submitted, how the rest of the community will be informed about applications and how they can be involved in the decision making process.
- 7.3 All planning applications are available to view and access from our website:
- Development Management: <http://www.dacorum.gov.uk/home/planning-development/planning-applications/search-planning-applications>

8. Pre-application Consultation and Advice

- 8.1 Before submitting a planning application, we encourage prospective applicants to seek advice at the pre-application stage. This allows for the identification of issues and constraints at an early stage in the design process; it enables concerns to be raised early; and can improve the quality of the scheme. Where the Council receives a request to disclose any information in relation to these pre-application discussions, it will notify and consult with the prospective applicant concerning its possible release. However, the Council reserves the right, to disclose any such information it deems appropriate and shall be responsible for determining at its absolute discretion whether the information is exempt from disclosure in accordance with the FOIA or EIR regulations. (See link to website below which includes protocol for pre-applications and charging schedule (November 2018). The protocol includes definitions for all scales of development).
- 8.2 Where proposals are large scale and likely to have an impact on an area, the Council would encourage the applicant to engage directly with the local community. This would usually be through the use of public meetings, meetings with local residents groups, amenity groups or parish/town councils, exhibitions and press releases. It is the applicant's choice whether they consult with the community and how they go about this. However, Officers can provide advice to applicants regarding appropriate local groups to contact with regard to specific planning applications through the pre-application process and how best to go about this.
- 8.3 At an early stage, developers should discuss with service providers the implications of development on, and contribution towards, provision of infrastructure. Consultation with statutory consultees may take place as part of the pre-application service. However, some of the consultees may charge for advice and this will need to be paid for separately by the applicant.

- 8.4 Further details of the service can be found on the Council's website below including details of charges which have been updated from November 2018. <https://www.dacorum.gov.uk/home/planning-development/planningapplications/pre-application-advice>

9. Planning Performance Agreements

- 9.1 Planning Performance Agreements (PPAs) are primarily aimed at complex development proposals. They are voluntary agreements that commit applicants, local planning authorities and partner organisations to an agreed timetable and fee for pre-application discussions and determining planning applications. Essentially they are a collaborative project management process, which aim to improve the quality of development and decision making by taking away national targets for determining an application (13 or 16 weeks) and setting out the key topics and milestones of the pre-application.
- 9.2 When a PPA is proposed, an inception meeting will be held with all the relevant parties. At this meeting a project team, with named persons from each party, will be agreed and a framework will be established setting out the process, timing and fees applicable. The framework will include the pre-application procedure, number and nature of meetings to be held, timing of submission of application through to decision and may include timings for discharge of conditions and an implementation programme for the development. The fee will be dependent on the scale and complexity of the development, the number of parties involved and number and length of meetings, time involved in research and information gathering.

10. Community Involvement in Planning Application Decisions

- 10.1 Development should be in accordance with the policies and proposals set out in the development plan unless other material considerations indicate otherwise. The previous sections of this SCI have dealt with how stakeholders can influence the drafting of these policies and proposals. However, there will continue to be the opportunity for individuals, groups and organisations to become involved in the decision making process for planning applications.
- 10.2 The Government has set minimum standards for consultation on planning and other related applications. Local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. This is prescribed in Article 15 of the Development Management Procedure Order. There are separate arrangements for listed buildings which are set out in Regulation 5 and Regulation 5A of the Listed Buildings and Conservation Area Regulations 1990 (as amended).
- 10.3 The Council currently goes further in trying to engage the community in the determination of applications. For example the Council will send out individual letters to any sites adjoining the application site and if they are adjacent if it were not for the presence of a highway telling owners/occupiers about planning applications rather than simply relying on a site notice. When a notice is to be used these will be placed in locations which will be seen by those likely to have

an interest in or be affected by a development. This is considered to be the most effective way of letting people know about planning proposals that may affect them. In addition, we consult the relevant Town or Parish Council where applicable. Table 4 below sets out the current practices for statutory consultation which is the minimum that the Council will do.

Table 4 – Statutory Dacorum Borough Council Publicity Requirements for Planning and Heritage Applications

Type of development	Site notice	site notice <u>and/or</u> neighbour notification letter'	Newspaper advert	Website
Applications for major development as defined in Article 2 of the Development Management Procedure Order	✓		✓	✓
Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement	✓		✓	✓
Applications which do not accord with the development plan in force in the area	✓		✓	✓
Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies	✓		✓	✓
Applications for planning permission not covered in the entries above e.g. non-major development		✓		✓
Applications for listed building consent	✓		✓	✓

Note: the [Environment Impact Assessment guidance](#) sets out further publicity and consultation requirements for applicants where this is relevant.

- 10.4 No system for publicising planning applications can be infallible, however extensive. There needs to be a balance between consideration of cost, speed of decision making and providing a reasonable opportunity for public comment. The current procedures do balance these conflicting priorities.

11. Consultation Procedures for other types of Planning Applications

Trees

- 11.1 For applications for approval of works to trees that are subject to a Tree Preservation Order (TPO) or Trees in a Conservation Area (TCA), these will be sent to the Trees and Woodlands team and the relevant Town or Parish Council(s).

Prior Approval

- 11.2 We consult as required by the Regulations (in most cases the Town and Country Planning (General Permitted Development Order) 2015 (as amended)) e.g. by serving a notice on adjoining owners or occupiers immediately adjoining the site

Lawful Development Certificates

- 11.3 Applications for Lawful Development Certificates require a technical assessment of whether planning permission is required. Comments on the planning merits of the proposal cannot be taken into account. Where a certificate is seeking to confirm that a development or use has been in existence for 4 or 10 years investigations will be carried out to verify the information submitted by the applicant. This will be determined by the Planning Case Officer on a case by case basis. The relevant Town or Parish Council will be notified of the proposal (for information only).

Advertisement Consent

- 11.4 We consult as required by the Regulations, e.g. in relevant cases with the Local Highway Authority, the relevant Town/Parish Council and Conservation team (if located within a Conservation Area).

Consultation periods

- 11.5 Our letters / notifications / advertisements make clear the deadline by which comments should be submitted. We normally allow 21 days but there may be occasions when a 14 day period is set, for example in cases of special urgency, or in certain cases where a re-consultation is required, such as the submission of materially different amended plans. Consultees can only be certain that their

views will be taken into account if they meet our deadline. However, in practice, further time may be available before the decision is made. If a consultee is having difficulty meeting the deadline; they should contact the planning case officer to see whether a late comment will be acceptable. Statutory consultees may be allowed a longer period of time to comment on applications where this is prescribed in legislation.

11.6 Representations on any planning or other application should be made via our Dacorum website where all plans and associated documents can be viewed before making comments. To ensure that views are not misinterpreted, we can only accept written comments. We will accept comments by letter or email but ideally comments should be made on-line. Online comments are the most effective mechanism to ensure comments expeditiously reach the website. Comments received by email and post may take longer to appear on the website. Representations should refer only to material planning considerations.

11.8 All material planning comments are taken into account in considering planning applications. Examples of some of the material planning matters that can be taken into account when deciding a planning application are listed below. Please note this list is not exclusive:

- ✓ National planning policies and guidance
- ✓ Local planning policies and guidance
- ✓ Highway safety issues
- ✓ Impact on amenity of neighbouring properties such as overshadowing and loss of light, over dominance, noise disturbance, smells, obtrusive lighting or other impacts on amenity
- ✓ The impact on the character and appearance of the area
- ✓ Design, layout, scale, density and materials
- ✓ Traffic generation
- ✓ Car parking provision
- ✓ Impact on important trees and landscaping
- ✓ Impact on the character or setting of a listed building
- ✓ Impact on the character or appearance of a conservation area

Examples of non-material planning matters that will not be taken into account are listed below. Please note this list is not exclusive:

- ✗ Reduction in property values
- ✗ Boundary and access disputes
- ✗ Covenants and other private property matters
- ✗ Commercial competition
- ✗ Loss of a private view over land
- ✗ Planning application has been submitted retrospectively

In accordance with our Customer Service Standards, the council will not tolerate comments that contain abusive, offensive or derogatory language, or those related to a personal circumstance. Any comments submitted to the council in this manner will not be published.

11.9 A weekly list of applications received is sent out to the Town and Parish Councils, Councillors, internal consultees and other groups or individuals interested. Any local amenity group or individual can be added to the list by emailing the Planning Mailbox: planning@dacorum.gov.uk.

12. How a Decision Is Made

12.1 Once the application has been registered and the consultation letters sent out the application is passed to the Planning Case Officer. When the Case Officer has visited the site and received all comments he/she will write a report, after the completion of the consultation period, recommending that planning permission is either refused or granted.

12.2 Not all of our planning applications are reported to the Council's Development Control Committee. If the application is not contentious and falls within the Council's Scheme of Delegation the application will be decided by the Group Manager or other delegated officers. In other cases the application will be reported to the Development Control Committee who sit on a three-weekly cycle. The Committee will then decide on the application.

Development Management Committee

12.3 The Committee is made up of 14 of the Council's elected Members.

12.4 Meetings of the Development Control Committee meeting are open to the public. You can address Councillors at the meeting. There are some rules to make sure that as many people as practicable can be heard fairly. You need to register in advance of the meeting with the Council's Member Support Section. Speakers are given 3 minutes to address the Committee. Where more than 1 person wishes to speak, on a single item, a total time of 5 minutes is shared between speakers.

12.5 Further information on the process and how to register to speak can be found on the following link:

<https://www.dacorum.gov.uk/home/council-democracy/meetings-minutes-andagendas/speak-at-a-committee-meeting/speak-at-a-development-controlcommittee-meeting>

Post decision

12.6 Decision notices are sent to applicants electronically and can be viewed on the Council's website.

12.7 A weekly list provides a list of all applications determined in a particular week. This is available on the website:

<http://site.dacorum.gov.uk/planonline/acolnetcgi.gov>

12.8 The weekly list of applications received and determined is also sent to Town/Parish Councils for information purposes. Any group or individual can be added to the list by emailing the Planning Mailbox: planning@dacorum.gov.uk.

Appeals

12.9 After the council has reached a decision on a planning or a related application, and has refused it or permitted it with conditions attached, the applicant has a right of appeal against that decision. This appeal will be submitted to, and determined by, the Planning Inspectorate (PINS), a body independent of the Council.

12.10 The requirements for notification with regard to appeals are set down in government regulations and the council will comply with these. We will notify the interested parties of the appeal and provide information on how and when to respond to PINS. If an appeal is to be considered at an informal hearing or public inquiry, we also notify interested parties of the venue and time of the hearing in line with the Planning Inspectorate's requirements.

12.11 The council produces information on its website about the appeal process which gives further details of the appeal procedures and the potential for third parties to be involved.

Enforcement

12.12 If development takes place without the right approvals being obtained, this is known as a breach of planning control and enforcement action can be taken. Before it is decided what enforcement action the Council can take, the Council must take into account legislation, government advice, the Council's planning policies and previous planning decisions. One of the underlying principles of planning enforcement is for the Council to respond to alleged breaches of planning control in a proportionate manner, taking into account the severity of any harm caused by the breach.

12.13 All complaints about alleged breaches of planning control must be made in writing. Discretion may be used in rare cases to waive this requirement, but this will usually be limited to those cases where there is the prior knowledge or existing involvement of an officer, or where the complaint relates to unauthorised works to a listed building or trees protected by a Tree Preservation Order. **We cannot accept anonymous complaints.** Any complaint you do make will be treated in the strictest confidence in accordance with the procedures outlined in the Local Enforcement Plan¹.

¹ <http://www.dacorum.gov.uk/home/planning-development/planning-enforcement>

- 12.14 Reports of a breach of planning control, or queries relating to a potential breach of planning control, should be made via the web form on the Planning Enforcement pages on the Council's web-site. It is also possible to e-mail planning.enforcement@dacorum.gov.uk or send a letter; however, the Council's preferred method is via the web form¹ as this will ensure that the information required to start an enforcement investigation is provided at the beginning.
- 12.15 Planning Enforcement will keep the interested parties informed of the planning enforcement investigation, and its conclusion, in accordance with the procedures detailed in the Local Enforcement Plan. The number and frequency of updates will depend on the priority level given to the case, as well as the complexity of the enforcement investigation.

13. Review

- 13.1 Members of the Development Management team have opportunities to engage with key stakeholders and to discuss relevant issues regarding the planning process. These can include the annual parish conference (where a planning update is given), the quarterly Town/Parish Clerks forum or attendance at the quarterly agent/developers' forum. Such meetings provide an opportunity for the Council to promote the key principles of this Statement of Community Involvement.

¹ <https://eforms.dacorum.gov.uk/eforms/Planning/enforcement/>

Appendix 1: Specific Consultation Bodies

Local planning authorities that adjoin the Borough

- Aylesbury Vale
- Chiltern
- Three Rivers
- St Albans

To enhance SW Herts Joint Strategic Planning working, we will also consult:

- Watford
- Hertsmere

Hertfordshire County Council and any other County Councils that adjoin the Borough

- Central Bedfordshire
- Luton
- Hertfordshire
- Buckinghamshire

Town and Parish Councils within and adjoining the Borough

Chiltern

- Ashley Green
- Latimer and Ley Hill
- Chenies
- Cholesbury cum St Leonards

Three Rivers

- Sarratt
- Abbots Langley

St Albans

- St Michael
- Harpenden Rural
- Redbourn

Central Beds

- Studham
- Hyde
- Caddington
- Slip End
- Kensworth
- Whipsnade

Aylesbury Vale

- Ivinghoe
- Pitstone
- Cheddington
- Marsworth
- Edlesborough
- Buckland
- Drayton Beauchamp
- Aston Clinton
- Hulcott
- Wingrave with Rowsham
- Mentmore

Dacorum

- Aldbury
- Berkhamsted
- Bovingdon
- Chipperfield
- Flamsted
- Flaunden
- Great Gaddesden
- Kings Langley
- Little Gaddesden
- Markyate
- Nash Mills
- Nettleden with Potten End
- Tring Rural
- Tring Town
- Wigginton
- Northchurch

Appendix 2: Further planning support

Who can help explain Planning Issues to me?

1. In most instances, the information you will need in relation to plan-making and planning applications can be found on the Council's website. If you still have questions after looking at that information, you may wish to contact our Customer Services Team by phone 01442 228000 or email customer.services@dacorum.gov.uk.
2. Officers that can explain planning issues include:

The Strategic Planning & Regeneration Team (plan-making) which is:

- Responsible for producing the Local Plan and other planning documents that make up the Development Plan along with other planning policy guidance and;
- Responsible for organising and leading the consultations on draft council planning documents. The team considers consultation responses and incorporates, where appropriate, any amendments into the council's final version for councillors to consider and approve.

The Development Management Team (planning applications) which is:

- Responsible for assessing planning applications in accordance with the adopted development plan, the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and any other material considerations including consultation responses to the proposal.
 - Contactable for advice on pre-application enquiries and general planning enquiries through the planning mailbox.
3. You may also wish to contact your local councillor, to discuss your views, or seek their help with a planning proposal in your area. Contact details of local ward councillors are available at:
<https://democracy.dacorum.gov.uk/mgMemberIndex.aspx?bcr=1>

What other support for planning is available to me?

4. Useful websites that provide information on the planning system include:
 - Planning Portal – www.planningportal.co.uk
 - National Planning Practice Guidance - <http://planningguidance.communities.gov.uk>

- Plain English Guide to the Planning System – https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/391694/Plain_English_guide_to_the_planning_system.pdf

Planning Aid England

5. Planning Aid England is an independent voluntary organisation linked to the Royal Town Planning Institute (RTPI). This includes a network of professional Chartered Town Planners. The organisation offers impartial advice and independent support. For further information, contact them online by visiting www.rtpi.org.uk/planning-aid or call 020 7929 9494.
6. Occasionally you may feel the need to be professionally represented on a planning issue that affects you. The RTPI keep a list of accredited planning consultants who may be able to help.

What other support is available to help with Neighbourhood Planning?

7. Planning Aid England has produced guidance to help communities with Neighbourhood Planning that can be accessed at: <http://www.rtpi.org.uk/planning-aid/neighbourhood-planning/>
8. You can also read case studies and find information about how support is being provided for Neighbourhood Planning through Locality, which is the national network of community-led organisations, at: <http://mycommunity.org.uk/programme/neighbourhood-planning/>
9. If you are interested in finding out if your parish or town has prepared, or is preparing a Neighbourhood Plan, please take a look at the information on our website at: <http://www.dacorum.gov.uk/home/regeneration/neighbourhood-planning>
10. There is further information about Neighbourhood Plans on the Council's website: <https://www.dacorum.gov.uk/home/regeneration/neighbourhood-planning>

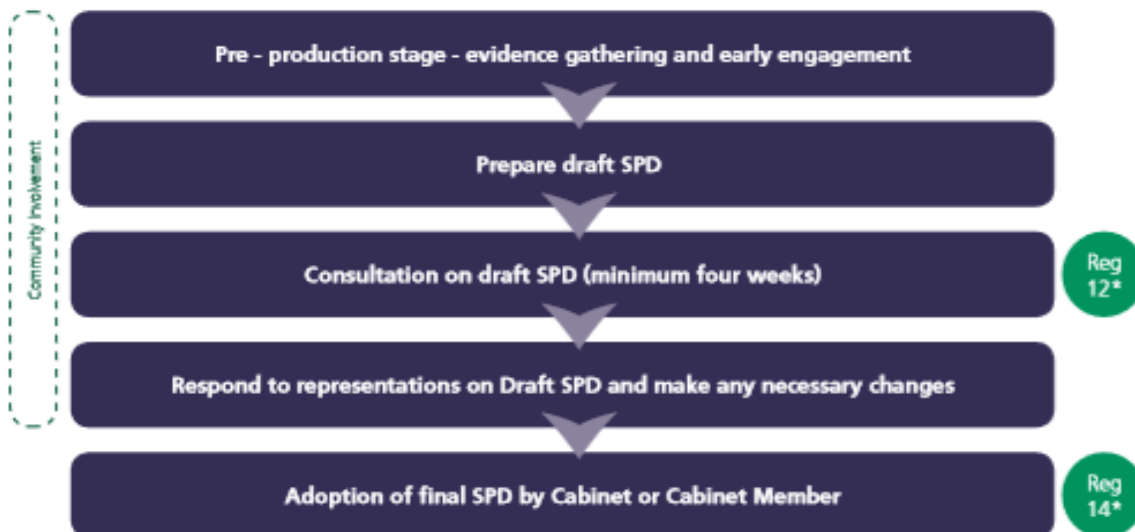
Appendix 3: Key stages in preparing policy documents

Local Plan



* The Town and Country Planning (Local Planning) (England) Regulations 2012

Supplementary Planning Document



* The Town and Country Planning (Local Planning) (England) Regulations 2012

Neighbourhood Plans or a Neighbourhood Development Order (NDO)



* Neighbourhood Planning (General) Regulations 2012

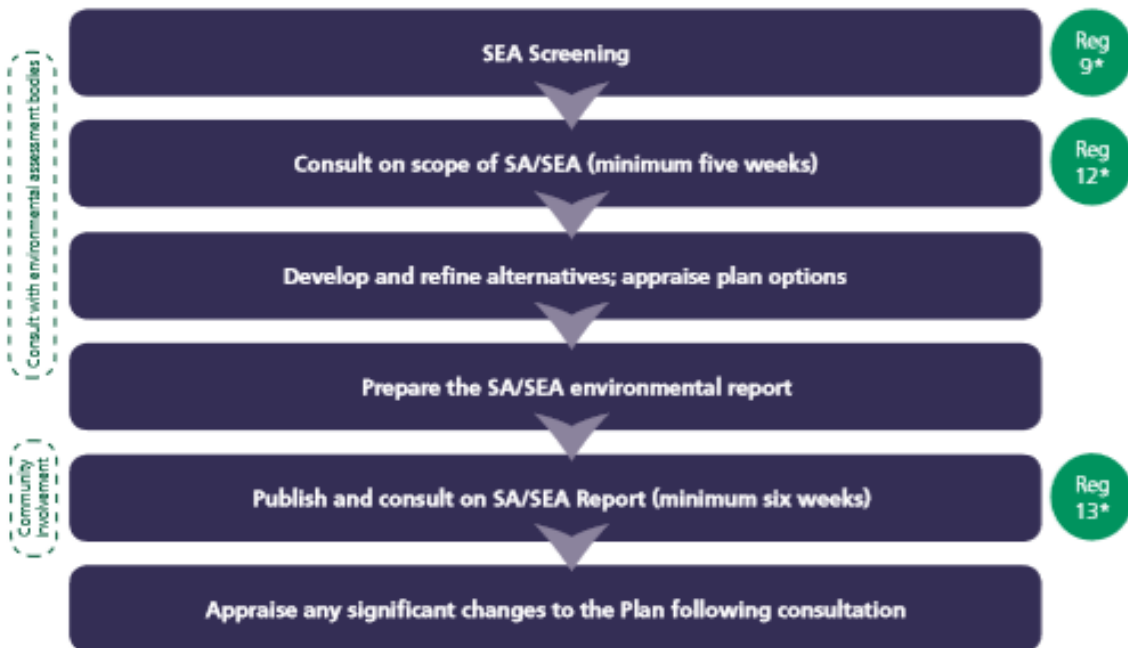
** If more than 50 per cent of people who voted in the referendum supported the plan/order, the council must adopt it

Community Infrastructure Levy



* The Community Infrastructure Levy Regulations 2010

Sustainable Appraisal (incorporating Strategic Environmental Assessment)



* Environmental Assessment of Plans and Programmes Regulations 2004

Local Development Orders



* The Town and Country Planning (Development Management Procedure) (England) Order 2015