Development Management
Moorlands House, Stockwell Street
Leek, Staffordshire
ST13 6HQ

2nd January 2018

Dear Mrs Curley

Re: land off Cheadle Road, Cheddleton. Outline application for residential development.- Heads of Terms…

Your Sincerely

Gerald Willard

Chartered Town and Country Planner.
M.R.T.P.I

Also copied to client and David Breakwell

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1.0 Draft Heads of Terms

As part of this application the applicant/site owner (and their successor in title) offers the following Draft Heads of Terms in principle with details yet to be agreed:

They commit to undertake or provide the following:

- Provision of affordable housing line with local and national Affordable Housing Policy, The types and sizes would be confirmed following detailed consultation with registered social landlords. They accept that the adopted Core Strategy (CS) requires 33% of the homes on the site to be affordable and they will obligate to meet this threshold.

- Open Space in accordance with local and national planning policy and the adopted SPG on recreation and open space and any reasonable requirements yet to be set out by the council.

- Education provision. The applicant/owner will provide contributions to local educational provision where there is a proven need for such provision in the locality.

- The applicant/owner will support any other proven and certain infrastructure provision sought by the council or statutory consulate where there is a need arising as direct result of the development heron proposed.

- The applicant will seek to promote the future layout of the site so as to comply with:

    * principles of Good design
    * Secured by design principle to minimise the risk or Crome
    * Lifetime Homes standards to allow for flexible and long home use

* The generation of power on site, resource efficient design and the re-cycling of materials and resources.

Set out below are key policy extracts and provisions relative to affordable housing which is a council priority and open space which will be needed on and off site as a result of this development:

Policy provision

Development plan document Core Strategy. Adopted March 2014

Affordable Housing provision

On page 33 the CS confirms that increasing affordable housing provision is a priority. It reads:

> *Provision of affordable housing is a priority need. An ageing population in under-occupied housing, high house prices, below average wage levels, continued in-migration, and a small rental sector points to continued difficulties in accessing affordable housing (to buy or rent) in the future.*

On page 56 the CS reads;

> *Affordable Housing*
>
> *7.21 The strategy recognises that many people in the District will require support to enable them to access housing appropriate to their needs through opportunities for alternative, more affordable and appropriate forms of housing. This will require a package of measures and initiatives through the Council's housing enabling role and partnership working with private developers, RSLs and Parish*

Councils including increasing the requirement for affordable housing provision and facilitating more supported housing.

7.22 One of the principal means of delivering more affordable housing will be through the provision of more housing generally and requiring appropriate levels of on-site provision or financial contributions from developers. The Council and partner RSLs will also continue to work to maximise Homes and Communities Agency funded development across the district, but in order to create a significant increase in the future supply of affordable housing the Council will also need to directly intervene itself in providing sites and, in the longer term, funding to develop affordable homes throughout the District.

Policy SA2 on the same page states:

SA2: Meeting the needs of our communities

7.19 Our communities are central to the special characteristics of Staffordshire Moorlands. It is important that their needs are adequately met to ensure that they continue to thrive and have a high quality of life.

In respect of the provision of infrastructure the plan says on pages 58 and 59 the following:

Infrastructure Provision

7.31 A major factor in achieving the strategy is the delivery of the necessary social, physical and green infrastructure to support future development requirements, both within existing urban areas as well as in new areas of development. The Strategy seeks policy measures to protect services and facilities as well as development proposals to support them. With limited resources available to the Council, the implementation of infrastructure improvements is dependent on the successful delivery of physical development and regeneration schemes through developer funding and the plans and programmes of other service providers. Developers promoting development and regeneration schemes will be expected to

contribute towards strategic and local infrastructure requirements, through both on-site facilities and financial contributions for off-site works and facilities. The government has reviewed the role of such planning contributions and introduced a Community Infrastructure Levy (CIL) as a means of funding additional infrastructure arising from growth. The Council is currently considering and assessing the appropriateness and viability of introducing CIL for Staffordshire Moorlands to meet future infrastructure needs on a locality basis. Much of the information set out in the Infrastructure Plan would inform CIL calculations and if developer contributions are sought through this method, then the appropriate methodology would be set out in a separate local development document. For the foreseeable future, however, developer contributions will be sought, including those strategic or pooled contributions in accordance with Government Circular 05/2005. The District Council has published Supplementary Planning Guidance (2004) which deals with such contributions.

7.32 The Development Capacity Study and the strategies, plans and programmes of key service providers will inform decisions on future provision. To address the identified need for health and education provision, redevelopment or development of services and facilities will therefore be considered appropriate in principle, where this meets an established need or shortfall. Future sites will be considered if the demand or need is identified. Proposals involving the development of other community facilities will be considered in relation to the needs of the local resident population. New and improved community facilities should be comprehensively planned for and suitable land should be provided in accessible locations - the Development Capacity Study will be used to determine this. In order to maximise both the provision of community services and the best use of developed sites and existing facilities, the Strategy proposes to promote the co-location or sharing of community uses where this is relevant thus reducing the need to find additional sites. Of particular relevance would be school facilities and grounds where the buildings and facilities can be utilised for other uses at appropriate times.

In respect of the provision of affordable Housing the CS says the following on pages 118 and 119:

H2 - Affordable and Local Needs Housing

The provision of affordable housing will be delivered through the following measures:

1. *In the towns, residential developments of 15 dwellings (0.5 hectares) or more shall provide a target of 33% affordable housing on-site from all sources. The actual level of provision will be determined through negotiation taking into account development viability and other contributions*

2. Elsewhere, residential developments of 5 dwellings (0.16 hectares) or more shall provide a target of 33% affordable housing on-site from all sources, unless there are exceptional circumstances which dictate otherwise. Exceptionally this may be provided through a commuted sum payment in lieu. The actual level of provision will be determined through negotiation taking into account development viability and other contributions.

The above targets and thresholds will be reviewed for the period after 2016.
3. In or on the edge of villages, small schemes for 100% affordable housing will be allocated in the Site Allocations DPD or will be permitted on suitable rural exceptions sites which are well related to services and facilities and where a demonstrable need exists within the local area which cannot otherwise be met by means of provision in the plan.

4. Schemes proposing 100% affordable housing will be targeted to those areas in greatest demonstrable need.

5. In areas of low demand or where the stock does not meet and is not capable of meeting local housing market needs consideration will be given, in consulta-

tion with local communities, to options for renovation/improvement or redevelopment schemes to create more sustainable and balanced housing

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6. Unless circumstances dictate otherwise and in agreement with the Council, 70% of all affordable dwellings provided on each site should be social rented housing with the remainder being intermediate housing.

The supporting text says the following;

8.4.11 The limited supply of, and high demand for, housing in Staffordshire Moorlands has led to high prices and rents. It is now extremely difficult for local people on low incomes and increasingly those on middle incomes to afford a home of their own. This is particularly so in the rural areas. The 2008 Matthew Taylor Report considered the implications of housing provision in rural areas and found that the high cost of homes coupled with low wages of rural workers are creating affordability pressures that threaten the future of rural communities. Unless more affordable housing is provided, there is a danger that those on lower and middle incomes, particularly the young, will be forced to leave the district in increasing numbers. As a result, our communities will be damaged and the district's age and social structure will become even more biased towards the elderly and the wealthy.

8.4.12 The Strategic Housing Market Assessment (HMA) demonstrates a significant need for affordable housing in the District which exceeds the District's average annual development rate requirements. This policy therefore seeks to support the provision of affordable housing across the District through a range of measures. The HMA findings would suggest a 100% affordable housing target, however this is considered unrealistic as it would not allow a sustainable housing market to be maintained. The NPPF requires that the sites and scale of development should not be subject to such a scale of obligations and policy burdens, including affordable housing, that their ability to be developed is threatened. Whilst it is the Council's aspiration to increase the affordable housing targets in the long term, current evidence places doubt on any increase in affordable housing targets beyond the current 33% in the present economic climate. It is there-

fore proposed to maintain this target for the plan period to 2016 and undertake a review of the targets as part of the review of the Core Strategy to establish a suitable viable target for beyond 2016.

8.4.13 The threshold and minimum target for affordable housing provision are intended to ensure that adequate provision is made both in urban and smaller rural settlements to help address this need and ensure that a sustainable and deliverable housing market is maintained which will deliver the range of housing needed to help meet market demand as well affordable housing needs. All development involving the provision of housing which meet the thresholds will be required to make provision for affordable housing.

8.4.14 The majority of any affordable housing that is likely to be provided will mostly be on allocated sites in or on the edges of the main market towns. Affordable Housing provision will also be contributed to by windfall schemes, net gains from conversions, new provision of non self contained household spaces, and long term vacant properties brought back into use.

8.4.15 In the rural areas it is anticipated that the bulk of the provision of affordable houses will be in the larger villages, either on allocated sites or on windfall sites. Because of the smaller scale of development in the rural areas a lower threshold is considered justifiable unless there are exceptional circumstances why this would not be possible, such as enabling development.

8.4.16 Schemes which offer 100% affordable housing will need to be targeted to those areas in greatest need as identified by the Council in order to ensure that those areas are not disadvantaged by lower levels of affordable housing development. The proportion of social housing reflects the recommendation in the Strategic Housing Market Assessment but this will be kept under review through the Strategic Housing Market Assessment and may be varied in the light of changing housing needs and market conditions.

Applicants affordable housing obligation

The applicant supports the provision on this site of affordable Housing wholly in line with policy H2. They will enter into an agreement with the council under Section 106 of the Town and Country Planning Act 1990 to deliver the percentage of affordable housing and its disposition and mix in accordance with the provisions of policy H2 and the reasonable and justified requests of the Local planning authority.

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Recreation and Open Space

Policy C2 of the CS deals with the provision of open space and recreational facilities. It says:

> *The Council will promote the provision of high quality recreational open space by implementing and supporting schemes that will protect and improve the quantity, quality and accessibility of open space and outdoor sports, leisure and children's play facilities throughout the district, in accordance with the adopted minimum standards set out in the Open Space, Sport and Recreation SPD.*
>
> *Where there is a proven deficiency, qualifying new residential development will be expected to make provision, or a contribution towards provision of open space, sports and recreation facilities which are necessary and reasonably related in form and scale in accordance with the adopted minimum standards set out in the Open Space, Sport and Recreation SPD.*
>
> *In addition:*
>
> - *Existing areas of open space, recreational land and buildings including school playing fields and amenity open space will be protected from development, unless:*
> - *suitable alternative provision is made which is at least as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality and is capable of being maintained adequately through management and maintenance agreements; or*
> - *an assessment has been undertaken to demonstrate the facility is surplus to requirements.*

Sites over 0.2 hectares will be identified in the Site Allocations DPD. New sport, recreation and open space facilities should:

- *be located in accessible locations and supported by the local transport infrastructure;*
- *protect the residential amenity of the area;*
- *be of an appropriate quality, scale and form compatible with the local area, especially if the site is located outside the settlement boundary in the open countryside; and*
- *not harm interests of acknowledged importance; and be designed so that they are fit for purpose.*

Applications to improve the use and availability of existing outdoor sports and recreation provision such as the introduction of ancillary facilities such as changing rooms, artificial surfaces or floodlighting will be permitted provided that they :

- *are directly related to the needs of the facility;*
- *can be satisfactorily and economically serviced; and*
- *meet the above criteria for new sport, recreation and open space facilities.*

Any of the above development should be consistent with the Council's Sports and Physical Activity Strategy and the guidance in the Open Space, Sport and Recreation SPD.

In 2004 the Council adopted Supplementary Planning Guidance (SPG) for recreation and open space.

On page 4 it states:

1.4 The Council's public open space policies seek to achieve a minimum standard of open space in the District. These policies have operated in the Staffordshire Moorlands since 1996. Minor amendments are proposed to the policy which reflect this Council's working experience of the policy, changing local circumstances and current government guidance.

On page 5 the SPG confirms:

There are four types of public open space which are required within the District:

- *playing fields*
- *children's play areas*
- *major open space*
- *incidental open space*

3.2 The Council will use the following open space standards as a basis for determining the open space requirement for planning applications or, alternatively, the amount of contribution payable in lieu of that provision into the Council's Open Space Fund.

Playing Pitches Children's Play Areas Major Open Space Incidental Open Space

Playing fields	*1.6ha / 1,000 population*
Play areas	*0.6ha / 1,000 population*
Open space	*0.4ha / 1,000 population*
Incidental open space	*0.6ha / 1,000 population*

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The amounts translate into the following physical requirements as set out in policies R1 and R2 of the local plan. It is believed that the council is still applying these policies;

R1 The District Council will seek to achieve a minimum standard of 3.2 ha of public open space per 1000 population as follows:-

• ***sports grounds***	***1.6ha***
• ***children's play areas***	***0.6ha***
• ***major open space***	***0.4ha***
• ***incidental open space***	***0.6ha***

R2 Where there is a proven deficiency, qualifying new residential development will be expected to make provision for public open space which is necessary and reasonably related in form and scale in accordance with the standards in Policy R1.

6. New Off Site Provision or Improvement of existing Facilities

6.1 If public open space cannot be provided within the development site, provision needs to be made either by securing a new site in the vicinity or by improving an existing site. The improvement of existing facilities on a site effectively increases the capacity of the site by accommodating latent and future demand. The Council's Leisure Services Section is consulted when a qualifying application for residential development is submitted and will assess the provision in the local area and consider whether it is most appropriate to provide a new site or make improvements to an existing area of public open space.

Appendix 4 sets out the the following applicable payment rates in respect of playing fields and play areas. It is expected the council during the determination of the appli-

cation will provide up top date figures based upon normal inflationary increases since 2004.

The figures for rural area in the SPG are as follows:

Playing Fields	£64 per bedroom which equals 16 sq.m
Play area	£300 per bedroom which equals 6 sq.m of space

Obligation

The applicant/owner will provide for the recreation and open space needs generated by this development either on site or they will make a contribution off site to sports provision, children's play area and open space in accordance with relevant local and national planning policies and the reasonable requests of the Council.