

# Development Management Practice Note

## Policy DMH1: New affordable housing



### 1. Introduction

- 1.1. This practice note sets out how Development Management Policies (DMP) policy DMH1 should be applied when considering applications for **new houses by individuals<sup>1</sup> seeking to meet their own housing needs.**
- 1.2. The practice note focuses on this particular type of affordable housing as evidence demonstrates that individuals or 2 people forming a household together have consistently sought properties of the maximum size allowed by policy DMH1 (97m<sup>2</sup>), which is greater than the size of property permitted for their identified need.
- 1.3. DMP Para 6.48 states that the Authority will be flexible in its application of policy DMH1 for people addressing their own need. This practice note provides guidance on how to apply this flexibility in a consistent manner so that applicants are able to meet their identified need and the housing built is more likely to remain affordable in perpetuity, so addressing the long-term needs of the community in accordance with strategic policy and national guidance.
- 1.4. A report to Planning Committee on the 16<sup>th</sup> April 2021<sup>2</sup> set out the background to policy DMH1, the purpose of floorspace size thresholds and issues regarding the clarity and intent of policy and consequent effect on decision-making.
- 1.5. Recent planning Appeal decisions<sup>3</sup> have supported the Authority's approach; that through policy DMH1 size of affordable housing is restricted to the applicant's current need. Inspectors' decisions have also referenced DMP Policy DMH7 which allows extensions to affordable dwellings should an applicant's circumstances change.
- 1.6. At Planning Committee (16<sup>th</sup> April 2021) members agreed to officer recommendations to hold a special meeting of the Local Plan Review Steering Group<sup>4</sup> in order to discuss these issues and agree a pragmatic solution in advance of any changes to policy that could be brought about through the formal plan review. This was held on 3<sup>rd</sup> November 2021<sup>5</sup> and this Practice Note sets out the agreed approach.

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<sup>1</sup> For clarity 'individuals' is a term used to refer to the household as a whole.

<sup>2</sup> [Planning Committee 18 November 2005 Item 6.1 \(peakdistrict.gov.uk\)](https://www.peakdistrict.gov.uk/planning-committee-18-november-2005-item-6.1)

<sup>3</sup> NP/DDD/1020/0941 Appeal ref APP/M9496/W/21/3277640

NP/DDD/1220/1217 Appeal ref APP/M9496/W/21/3277313

NP/DDD/0221/0150 Appeal ref APP/M9496/W/21/3275813

<sup>4</sup> Members attending the meeting were Patrick Brady, Janet Haddock-Fraser, Robert Helliwell, Ken Smith and Yvonne Witter.

<sup>5</sup> Minutes of this meeting are available on request.

## 2. Background

2.1. The National Parks Vision and Circular (2010)<sup>6</sup> acknowledge the need for affordable housing in National Parks. Paragraph 79 of the Circular states:

*'The Government expects the Authorities to maintain a focus on affordable housing and to work with local authorities and other agencies to ensure that the needs of local communities in the Parks are met **and that affordable housing remains so in the longer term** (our emphasis).'*

2.2. The National Planning Policy Framework (2021)<sup>7</sup>, also acknowledges the need for affordable housing in rural areas. Para 78, states:

*'Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet **identified local needs** (our emphasis).'*

2.3. In accordance with national guidance, Core Strategy Policy HC1 makes provision for new housing that addresses eligible local need and remains affordable. Restricting size and occupancy are the planning tools that help properties to remain affordable in perpetuity. DMP policy DMH1 restricts size to the identified need of the applicant and policy DMH2 restricts occupancy to those who have lived in the National Park for 10 years.

2.4. The size of affordable housing is controlled in line with the applicants housing need. Over time this creates a stock of homes that are more affordable and therefore more likely to meet a community's needs, as explained in DMP para 6.45. Some flexibility towards this is set out in paragraph 6.48 of the DMP, which states that where individuals are building affordable housing to meet their own need,

*'greater flexibility will be afforded in terms of the size requirement up to the maximum of 97m<sup>2</sup> in accordance with policy DMH1'.*

2.5. The purpose of the policy is not to predict the future need of the applicant, but to address their current need. DMP policy DMH7 allows for extensions to a property to cater for changes in circumstances, whilst maintaining the overall aim of retaining more affordable homes.

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<sup>6</sup> [National Parks Circular \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>7</sup> [National Planning Policy Framework \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

### 3. Implementation of Policy DMH1

3.1. DMP policy DMH1 requires any new build housing to be within the following size thresholds<sup>8</sup>:

Number of bed spaces	Maximum Gross Internal Floor Area (m <sup>2</sup> )
One person	39
Two persons	58
Three persons	70
Four persons	84
Five persons	97

3.2. To ensure consistency in applying policy DMH1, and to avoid compromising its purpose and intent, increased size thresholds can be applied in the circumstances set out in para 3.3 below.

3.3. In all situations, the development shall address eligible local need in accordance with Core Strategy policy HC1 and DMP policy DMH2.

- Properties for individual people will continue to be subject to a maximum allowance of 39m<sup>2</sup>. In cases where flexibility is required based on personal circumstances, or in locations where for reasons relating to valued landscape character or the style and traditions of the locality, and a 2-storey house is most appropriate, individuals can apply for homes up to a maximum of 58m<sup>2</sup>.
- Couples or two people forming a household together can apply for homes up to 70m<sup>2</sup>.
- Families or people forming a household together of 3 or more, can apply for homes up to 97m<sup>2</sup>.

3.4. DMP para 6.52 addresses the circumstances in which a property exceeding 97m<sup>2</sup> may be justified.

3.5. The flexibility in space standards provided in para 3.3 ensures new affordable housing reflects what is needed in the locality in accordance with DMP para 6.45, the National Parks Vision and Circular and the NPPF as set out in Section 2 above.

### 4. Operation of Policy DMH7 on extensions and alterations

4.1. Officers will assist applicants and agents to understand the scope and limitations in applying for future extensions to homes permitted under policy DMH1.

4.2. Officers will clarify that Policy DMH7 of the Development Management Policies allows extensions and alterations to houses permitted under Policy DMH1, provided that the proposal does not exceed 10% of the floorspace or take the floorspace of the house above 97m<sup>2</sup>.

4.3. Officers will explain that the purpose of these restrictions is to support our aim to create a stock of more affordable homes that are more likely to address residents' current and future needs.

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<sup>8</sup> These size thresholds are based on [Technical housing standards – nationally described space standard \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)