

**OP03 Mr Mike Hase on behalf of Derbyshire Dales District Council**

At the EIP yesterday morning during a discussion about Starter Homes, John Scott from the Authority suggested that under the provisions of Section 5 of the Housing and Planning Act 2016, Regulations would not allow Starter Homes to be brought forward on Rural Exception sites.

The actual situation is that Section 5 (Sub Section 2) indicates the following:

(2) Where the Secretary of State makes regulations under this section, the regulations must give an English planning authority power to dispense with the condition requiring the starter homes requirement to be met where—

(a) an application is made for planning permission in respect of a rural exception site, and

(b) the application falls to be determined wholly or partly on the basis of a policy contained in a development plan for the provision of housing on rural exception sites.

The Inspector is advised that there are no such Regulations in force, and that even if there were to be Regulations in force then they would allow local planning authorities such as the National Park Authority the discretion to decide or otherwise whether to restrict the provision of affordable housing on rural exception sites. In these circumstances, in the absence of any statutory decision by the Authority to remove Starter Homes from Rural Exception Sites, given the evidence provided, it remains the District Council's view that Starter Homes should form part of the mix of properties to be brought forward in the National Park, and there is no reason why they should not be provided on rural exception sites.

The Inspector may also wish to read the following documents which are available online:

<http://www.legislation.gov.uk/ukpga/2016/22/part/1/chapter/1/enacted>

<http://researchbriefings.files.parliament.uk/documents/CBP-7643/CBP-7643.pdf>

[http://www.legislation.gov.uk/ukpga/2016/22/pdfs/ukpgaen\\_20160022\\_en.pdf](http://www.legislation.gov.uk/ukpga/2016/22/pdfs/ukpgaen_20160022_en.pdf)