

Self and Custom Build Housing Supplementary Planning Document: Consultation statement

Calderdale Metropolitan Borough Council

Introduction

This is the 'Consultation Statement' for the Self and Custom Build Housing SPD as required by the Town and Country Planning (Local Planning) (England) Regulations 2012. This statement sets out how the public and other stakeholders were consulted upon the SPD. This statement was issued alongside the draft SPD for consultation in June 2023 and has now been updated to reflect the consultation undertaken and accompany the adopted SPD.

Consultation regulations

The SPD is produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The relevant regulations relating to the consultation process are explained below.

Regulation 12: Regulation 12(a) requires the Council to produce a consultation statement before adoption of the SPD, this must set out who was consulted, a summary of the issues raised, and how these issues were incorporated into the SPD. This statement is the 'Consultation Statement' for the adopted SPD as required by Regulation 12(a).

Regulation 12(b) requires the Council to publish the documents (including a 'consultation statement') for a minimum 4 week consultation, specify the date when responses should be received, and identify the address to which responses should be sent. The consultation statement that accompanied the draft SPD set out that information.

Regulation 13: Regulation 13 stipulates that any person may make representations about the SPD and that the representations must be made by the end of the consultation date referred to in Regulation 12. The consultation statement that accompanied the draft SPD set out that requirement.

Regulation 35: Regulation 12 states that when seeking representations on an SPD, documents must be made available in accordance with Regulation 35. This requires the Council to make documents available by taking the following steps:

- Make the document available at the principal office and other places within the area that the Council considers appropriate;
- Publish the document on the Council's website.

These measures were undertaken as part of the draft SPD consultation.

Statement of Community Involvement (SCI)

The SCI was adopted in 2016 and reflects the 2012 Regulations, set out above. It also specifies additional measures that the Council will undertake in consulting upon draft SPDs and these have been reflected in the consultation process for the Self and Custom Build Housing SPD. As per the SCI, the Council has involved key stakeholders in the preparation of this draft SPD for consultation.

Self and Custom Build Housing SPD Consultation Information

Consultation on the SPD has been carried out in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The draft SPD and Consultation Statement were made available for inspection by the public for a four-week period between Friday 30 June 2023 to Friday 28 July 2023. Copies of the draft SPD and consultation statement (setting out how comments could be made) were available at the following locations:

- Calderdale Council Custom First offices at Horton Street, Halifax
- Public libraries at Halifax Central, Akroyd, Beechwood Road, Brighouse, Elland, Hebden Bridge, King Cross, Mixenden, Northowram, Rastrick, Sowerby Bridge and Todmorden

Copies of the draft SPD were available to view on the Council's website at <https://calderdale.gov.uk/spds>. Further information was available by contacting the Spatial Planning team by email at spatial.planning@calderdale.gov.uk or by telephoning 01422 288001.

The following measures were undertaken to inform persons of the draft SPD consultation and document availability:

- Notification emails sent to all individuals/organisations/bodies that the Council consider will be affected or interested in the SPD, or may be involved in the delivery of the SPD (including people on the Self Build Register, Parish Councils, statutory consultees, developers, business, local voluntary organisations, and all other individuals who have previously participated in the Local Plan examination)
- A press release was issued
- The SPD and details of the consultation were posted on the Council's website.

Health Check of the Council's Self and Custom Build Position

Alongside the public consultation in June and July 2023, the Council also engaged with the Right to Build Task Force, which offers a free service providing a Custom and Self Build Health Check and Action Plan programme to help LPAs progress Custom and Self Building housing in their area in accordance with their Right to Build duty. This involved a consideration of the Council's wider position, including the setup of the Self Build Register, internal resources dedicated to the area, publicisation, and elected member involvement, as well as comments on the draft SPD. A summary of the responses received as a result of this exercise have been incorporated into this consultation statement as Table 2.

Summary of Issues Raised and How Incorporated into the SPD

13 representations on the draft SPD were received from external parties, including statutory agencies and housebuilders. In summary, the majority of representations were supportive, suggesting only relatively minor amendments and additional information to be referenced. Many of the requested changes have been taken forward in the adopted SPD.

A full schedule of representations received and the Council's response is set out in Table 1. This also details the amendments to the draft SPD.

The SPD has been updated to reflect that it is no longer draft and that the consultation has been undertaken. The overall format has been amended to enhance readability, including the re-ordering of some sections.

After preparation and publication of the draft SPD for consultation, a number of national, and local policy and guidance changes have also given rise to a need for minor reviews of the draft SPD. These are detailed in Table 3.

Table 1: Schedule of Representations Received and Amendments to SPD

Consultation point	Consultee	Comment	Council response and SPD amendment (where applicable)
Whole document	11019 Tracy Hanson (West Yorkshire Police)	1 I wish to add some comments to the new Self build SPD in relation to design and security. BE5 of the local place refers to Safety and Security Considerations. Is it possible that this can be referred to in this SPD, pointing the developer towards building the home to Secured by Design Specifications. There is a guide on the SBD website specifically for Self Builds, I have attached a copy.	[Note: the attachment may be seen on the consultation portal.] The recommendations are noted.
Whole document	1242748 Natural England	8 Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature. Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.	Noted

Consultation point	Consultee	Comment	Council response and SPD amendment (where applicable)
		<p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p> <p>Strategic Environmental Assessment/Habitats Regulations Assessment</p> <p>A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p>	
Whole document	1103273 Simon Tucker (Canal & River Trust)	<p>9</p> <p>The Trust owns and manages the Rochdale Canal, which runs through the Calderdale District. We are also Navigation Authority for the Calder & Hebble Navigation (with landowner interests over the canalised sections of this waterway).</p> <p>Having reviewed the content of the draft Affordable Housing and Custom Build Housing Supplementary Planning Documents, the Trust does not wish to make comments on either document.</p>	Noted
Whole document	1138084 Melanie Lindsley (Coal Authority)	<p>11</p> <p>Our records indicate that within the Calderdale area there are recorded coal mining features present at surface and shallow depth including; mine entries, coal workings and reported surface hazards. These features may pose a potential risk to surface stability and public safety. The Coal Authority's records also indicate that surface coal resource is present in the area, although this should</p>	Noted

Consultation point	Consultee	Comment	Council response and SPD amendment (where applicable)
		<p>not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning process consideration should be given to such advice in respect of the indicated surface coal resource.</p> <p>It is noted that this current consultation relates to a draft SPD on Self Build and Custom housing. I can confirm that the Planning team at the Coal Authority have no specific comments to make on this document.</p>	
Whole document	1246329 James Langler (Historic England)	<p>12</p> <p>Thank you for consulting Historic England on the above document. We welcome the reference made under paragraph 6.7 to the need for applications to consider all relevant Calderdale Local Plan policies, and Particularly Policy BT1: High Quality Inclusive Design.</p> <p>We also support the requirement for sites providing more than one self or custom built homes to be supported by an illustrated design code. However, we would request that the following amendment is made to the start of paragraph 6.9 to ensure that design codes are based on an assessment and understanding of their context, including the built, natural and historic environment:</p> <p><i>6.9 Design codes should be informed by the context of the site and may include some or all of the following: ...</i></p> <p>Historic England support the Council's intention to prepare a Placemaking & Design Guide SPD which will provide additional guidance on the implementation of Policy BT1.</p>	It is reasonable to include mention of the context of the site to ensure the quality of submitted Design Codes is high and will work well for their setting. Paragraph 6.9 has been amended as suggested.

Consultation point	Consultee	Comment	Council response and SPD amendment (where applicable)
		<p>Good design is able to help ensure that development conserves and enhances the significance of historic places and the setting of heritage assets. Information on good practice for design in the historic environment can be found on our website at:</p> <p>https://historicengland.org.uk/advice/planning/design-in-the-historic-environment/#6648a1aa</p>	
Local Policy Context (Page 4)	1338925 Lydia Sharp (Persimmon Homes)	<p>14 Adopted Local Plan Policy HS5 states that on sites of 100 dwellings or more, the Council “will <i>generally</i> seek 5% of the overall capacity to be provided as serviced plots for self or custom build need” [our emphasis]. There is therefore an inherent recognition that 5% will not always be required. Further clarity is therefore needed within the SPD on what evidence the Council would expect an applicant to provide in order to justify a different amount.</p>	<p>Applications will be dealt with on a site-by-site basis. Information about demand from the register will be shared with developers at pre-application stage to inform the provision requested.</p> <p>Paragraph 5.3 has been amended to state that negotiations will have regard to viability considerations.</p>
Policy HS5 (Page 4)	1338019 Bob Rayner	<p>3 To what extent is this policy statement compatible with the council's current lack of promotion & support for selfbuild sites? Nothing has been sent to people on the selfbuild register in the last 3 years. In future, does the council intend to dramatically change its support & promotion of selfbuild, or is the council happy to have a fictional policy statement? Most of the housing crisis could be fixed by the simple expedient of stepping back and letting people build their own homes on their own sites, rather than expecting them to join a list and wait indefinitely for the council to nominate a handful of sites elsewhere. However, it seems unlikely that the constraints on planning permission will be lifted any time soon.</p>	<p>Policy HS5 is part of the adopted Local Plan which was adopted in March 2023. Planning applications determined since this date have been required to be in conformity with Local Plan policies. As sites large enough to trigger a requirement for self and custom build plots are taken through the Planning process, it follows that more plots are made available for self and custom build housing. In addition, the Self-Build Register is not the only mechanism for allowing self-building; people can and do build on individual plots away from development sites, subject to their proposal being in accordance with the policies of the Local Plan.</p>

Consultation point	Consultee	Comment	Council response and SPD amendment (where applicable)
Para 4.1 (Page 6)	1338019 Bob Rayner	<p>4 No. Land is cheap and widely available. (There's over a hundred acres of land in Calderdale listed on Rightmove, and countless disused buildings &c). Land *with planning permission* is very expensive, because it is tightly restricted by the council. This paragraph should be rephrased with a more accurate statement of the barriers to housebuilding.</p>	<p>It is recognised that while there may be a lot of land for sale in the Borough, much of it may not be suitable due to constraints such as topography, or environmental or planning designations Paragraph 4.1 will be amended to refer to the “availability of <i>suitable</i> land”, to reflect that not all land is suitable for housebuilding.</p>
Para 5.2 (Page 8)	1338019 Bob Rayner	<p>5 There's no shortage of land in Calderdale; there is a shortage of planning permission. To what extent will the Council's duty to encourage housebuilding lead to the council easing restrictions on the permission to build?</p>	<p>The Council approves all planning applications which are consistent with the policies in the adopted Local Plan, unless material considerations indicate otherwise. The delivery of sites and the implementation of planning approvals is the responsibility of the landowner/developer.</p>
Anticipated Delivery of Self-Build and Alignment with Demand (Page 8)	1338925 Lydia Sharp (Persimmon Homes)	<p>14 The SPD states at paragraph 4.8 that there are currently 198 individuals and three associations on the self-build register, of which 155 would be interested in obtaining a plot as part of a wider development. The most recent Self-build and Custom Housebuilding Monitoring Report March 2023 states that in 2021/22 a total of 228 dwellings were granted permission on sites for one unit during the base period of 31st October 2019 to 30th October 2022. This delivery rate was lower than all previous base monitoring periods yet was still considered by the Council in Paragraph 4.4 of the Monitoring Report to be “more than sufficient to meet the demand identified on the register”. This sufficient delivery rate was achieved prior to the adoption of Policy HS5. Now that Policy HS5 is enforceable it is considered that an assessment detailing how many self-build units the housing allocations in the</p>	<p>There is more to consider than the headline delivery rate, especially as many of the delivered plots were conversions or sites not confirmed as self-build due to the difficulty of monitoring before the introduction of CIL exemptions.</p> <p>Using single plots dwellings has been a proxy indicator of measuring delivery of self-build plots in the absence of more accurate data, but not all those delivering these plots will be registered on the Self Build Register as they have already found a site/plot to meet their need. Policy HS5 seeks to more effectively meet the demand for self-build plots on a geographical basis.</p>

Consultation point	Consultee	Comment	Council response and SPD amendment (where applicable)
		<p>Local Plan are expected to provide should be undertaken. It is requested that this evidence be made available prior to the adoption of the SPD to illustrate how this is likely to align with the need for self-build plots.</p> <p>Further information is sought on what timescales the Council are expecting to impose on outline permissions with self-build units. There is concern that there could be extended periods of time between the granting of an outline permission, marketing self-build plots and then the submission of a reserved matters (RMs) application by either a self-build or main developer (in the instance that plots are not sold). Depending on what timescale is imposed there is the risk that a planning permission could lapse, and the Council should therefore impose greater flexibility on outline and hybrid planning permission timescales.</p> <p>The draft SPD also effectively requires all sites with a self-build requirement to be submitted under an outline or hybrid application. This adds a further level of complexity to all planning applications and is likely to result in additional costs for applicants in application fees (a hybrid application is likely to attract a higher application fee than a single full application). Prior to the adoption of the SPD, further evidence is requested of the analysis the Council has undertaken on the impact this will have on resourcing and the viability of proposals.</p>	<p>On timelines, the Council considers that the process under the new requirements of HS5 and the SPD would not result in outline permissions lapsing before the submission of a reserved matters application. Taking into account the design code approval and plot marketing period, there should be sufficient time for plots to be sold and a Reserved Matters application prepared. As long as a commencement has been made on the site within 3 years, the permission will remain valid. The onus would be on the developer to make these provisions for the self-build part of these sites, which is achievable within the existing timeframe. Therefore, no change to the SPD is proposed.</p> <p>Finally, the matter of viability of proposals following the effective need to use outline or hybrid applications on sites of 100+ dwellings; the Council considers it unavoidable given that a self-build plot must be designed and built by the owner-occupier, which must preclude the site developer from gaining full or RM permission on that plot.</p> <p>Further, the viability of Policy HS5 was tested at the Local Plan Examination and found to be sound, and was additionally not raised during the recent Right to Buy Task Force health check of the Council's self-</p>

Consultation point	Consultee	Comment	Council response and SPD amendment (where applicable)
			build position. The consultee has not presented evidence of a higher cost of application. A hybrid application for full permission on the majority of a site and outline permission on the self-build plots would not attract any further fees as future RM applications would be dealt with by the plot buyer.
Para 6.1 (Page 9)	1326527 Andrew Leysens (United Utilities)	<p>15 Within Paragraph 6.1, we welcome criterion b, which states that schemes are expected to make provision for a connection to services, i.e., electricity, water and drainage, at the boundary of each plot. For clarity we request that this is clear that drainage relates to both foul and surface water drainage arrangements. It would be illogical for a site to be delivered that is part of a wider development without making provision for both foul and surface water drainage. We therefore request that criterion b is revised as follows:</p> <p><i>'b. A connection to services, i.e. electricity, water and drainage (foul and surface water), at the boundary of each plot.'</i></p>	The Council agrees that the amendment suggested for paragraph 6.1 (b) provides greater clarity. It has been amended as suggested.
Para 6.1 (Page 9)	1338925 Lydia Sharp (Persimmon Homes)	<p>14 Paragraph 6.1 of the draft SPD lists a number of provisions which are expected for the delivery of self-build plots. It is requested that Paragraph 6.1 (a) be expanded to make it clear that self-build plots could be provided on private drives with a legal access to a public highway.</p>	The Council agrees to amend paragraph 6.1 (a) to include private driveways as an example of an equivalent to a legal access to a public highway.
Para 6.11 (Page 10)	1338925 Lydia Sharp (Persimmon Homes)	<p>14 Paragraph 6.11 emphasises the need for the location of self-build plots to be carefully considered to ensure design character and wider housing offer is not compromised.</p>	The Council considers that the final sentence of paragraph 6.14 addresses this point.

Consultation point	Consultee	Comment	Council response and SPD amendment (where applicable)
		<p>This point is supported but it should be noted that in some circumstances the most appropriate solution may be to locate some or all of the self-build plots in areas which are within the latter or final phase of a site. In this instance the delivery triggers proposed in paragraph 6.14 may not be appropriate due to the construction management constraints and development infrastructure not yet being in place. The wording of Paragraph 6.14 should therefore be amended to reflect the potential need for bespoke triggers where necessary.</p>	
<p>Para 6.15 (Page 11)</p>	<p>1338925 Lydia Sharp (Persimmon Homes)</p>	<p>14 Paragraph 6.15 outlines that the developer is required to provide access for heavy vehicles and that engagement with the highway authority is encouraged to tackle any site safety issues. It is considered that this paragraph should be extended so that it requires self-build plots to be subject to their own construction management plans for which the respective applicant is responsible for implementing.</p>	<p>The intention of paragraph 6.15 is to protect the future self-builder by ensuring physical access to these plots for construction. The suggested extension of the point is not considered necessary; self-builders will, at Reserved Matters, be subject to the normal highways and construction conditions.</p>
<p>Para 6.17 (Page 11)</p>	<p>1326527 Andrew Leysens (United Utilities)</p>	<p>15 In this context we note Paragraph 6.17 which states: <i>6.17 It is desirable that plots also have surface water drainage, telecommunications services and gas (or district heating) if available. The servicing of plots may be carried out in phases, with key services required for plot sale (water, electricity and access) provided before services required for occupation (sewerage, telecommunications and gas).</i></p> <p>We request that this paragraph is amended to reflect the fact that surface water drainage is essential and therefore</p>	<p>The Council agrees that the suggested amendments provide further clarity and they have been made.</p>

Consultation point	Consultee	Comment	Council response and SPD amendment (where applicable)
		<p>must be provided. This is not desirable but rather a necessity. Indeed, it will need to be considered in a sustainable manner with full application of the hierarchy for surface water management. We therefore request that Paragraph 6.17 is amended as follows:</p> <p>6.17 It is desirable that plots Plots must also have foul and sustainable surface water drainage, telecommunications services and if available, gas (or district heating) if available. The servicing of plots may be carried out in phases, with key services required for plot sale (water, electricity, sewerage (foul and surface water) and access) provided before services required for occupation (sewerage, telecommunications and gas).</p>	
Para 9.1 (Page 15)	1338019 Bob Rayner	<p>7 The council's policy statement should clarify the extent to which inventing new costs for housebuilders is compatible with the council's affordable housebuilding policy.</p>	Self-build housing and affordable housing are exempt from the Community Infrastructure Levy. This is explained in Chapter 9 of the SPD.
Appendix 2 (Page 18)	1338925 Lydia Sharp (Persimmon Homes)	<p>14 The following amendments to the wording of Appendix 2 are requested for clarity and to ensure the conditions meet the necessary tests set out in Planning Practice Guidance:</p> <ul style="list-style-type: none"> Second bullet point – amend to: <i>No reserved matters applications shall be submitted for the development self-build plots until and unless a Design Code for the site has been submitted to and approved in writing by the Local Planning Authority. The Design Code shall consist of guidance and coding relating to the following matters: plot size and width; character areas; building typologies; boundary treatments; building heights; landscaping and public realm.</i> 	The Council agrees that the suggested amendments provide further clarity and they have been made. This is with the exception of the word “broad” within the final point, as full compliance with any permission would be expected.

Consultation point	Consultee	Comment	Council response and SPD amendment (where applicable)
		<ul style="list-style-type: none"> <li data-bbox="667 304 1420 671">• Fourth bullet point – amend to: <i>The development shall be carried out in accordance with the approved Phasing Plan, drawing number XXX, received XXX. Each reserved matters application for the self-build plots will need to show how it complies with the phasing plan and its relationship with each plot/phase and submit a street scene to demonstrate the relationship with other approved plots/phases. [on large sites the main developer may submit their own RM applications so the above changes are to make that distinction].</i> <li data-bbox="667 715 1420 1145">• Appendix 2.2 Standard 106 clause 3rd bullet – amend to: <i>If contracts for the sale of any of the plots within the self-build area have not been exchanged after (1) twelve months have elapsed since the beginning of the formal marketing period, and (2) the Local Planning Authority has, subsequent to the receipt of a satisfactory Marketing Report, agreed to the following in writing, the relevant self-build plot may be either constructed as a Custom Build home, or sold on the open market free from any self-build encumbrance, or developed for general market or affordable housing by the landowner in broad accordance with the outline planning permission.</i> 	

Table 2: Comments received from the Help to Buy Task Force

Comments received from the Help to Buy Task Force		
Paragraph reference	Comment	Council response and SPD amendment (where applicable)
2.3	Types of self and custom build could be expanded to include kit/modular, CLH, Community groups, Developer/Custom Build Enabler led to give some wider context and examples.	The extra types have been inserted in an extra bullet point to the list.
2.4	Link to the CIL Regs (I know reference is made to CIL later in the SPD).	A footnote with a link to the CIL Regulations has been inserted because this contains useful definitions of what may count as self-build housing.
3	National and Local Policy Context Right to Build legislation – top-down approach. RtB legislation is overarching and needs more emphasis (i.e., where registers and duty comes from). We would also advise that you refer to the Task Force’s Advice Note on Right to Build Task Force : Resources: Right to Build obligations	An additional paragraph containing extra information regarding the LPA’s legal duties has been added to the start of Chapter 3.
3.8	Calderdale Garden Suburbs – any indication on projected numbers of dwellings and CSB provision?	Indicative capacities and self-build requirement figures for each Garden Suburb have been added.
3.10	Masterplan (that includes the CSB provision) and phasing should be agreed early on. CSB could be in multiple phases. Later phase CSB delivery aren’t necessarily undesirable, but all of the CSB provision should be agreed up front.	While the LPA will agree CSB provision as early as possible within the application process, in particular to assist with viability and scheme development, as the Garden Communities will be developed over a relatively long period of time, phase-specific provision will only be calculated at the time of application submission to account for up to date trends in demand and evidence on the CSB register.
3.12	Earlier link to Policy BT1 (High Quality, Inclusive Design) (first reference isn’t until 6.7). It is suggested that it would be useful to reference paragraph 188 of the National Design Guide (2019) as this forms part of the Government’s collection of planning practice guidance. National design guide.pdf (publishing.service.gov.uk)	The Council agrees that the suggested amendments provide further clarity and they have been made.

4.1	Reference to Right to Build and registers could be referenced earlier in the SPD, and then discussed in more detail in this section.	Extra reference has been made to Right to Build in Chapter 3.
4.2	Set out questions/headline data in bullet points. Link to Policy HS5 – will inform CSB plot demand.	New formatting introduced and reference made to Policy HS5.
4.9	There is Monitoring guidance PG3.2 Counting relevant permissioned plots available on the Task Force website.	A reference and link has been made to the guidance and it will be incorporated into the monitoring methodology.
4.11	Also important to ensure “self-build” is in the proposal description. Agree, the correct not just to rely on CIL self-build exemptions. Does your council have a Validation Checklist for planning applications? Could it be amended to include those checks to self-build applications?	Noted, but no change is required to SPD wording.
5.5	Excellent use of a working example to demonstrate how the quantum is calculated. Example 2 – I agree that flatted developments do not always lend themselves to CSB. Could you consider self-finish or shell apartments? Working with the developer to provide an option that allows a degree of design and layout input from the prospective purchaser? Graven Hill has an example of shell apartments (however these are new build as opposed to a conversion).	The suggestion is covered by “custom-build spaces in the mill”.
6.1 D	Phasing plan linked to CIL. Needs to ensure self-build exemption for plot purchasers. Exemption being a large saving and benefit for CS builders. Preferable CSB secured via outline application stage.	Noted.
6.6	S106 to require experienced local estate agent or RIC registered valuer with SB experience. I would also suggest 2x 12-month marketing periods (or minimum 12 months for first marketing period, following by 6-12 months for the second marketing period).	The possibility of a further marketing period is already raised in para A3.8, but it should be included at this earlier point. New text “(the Council may request a second marketing period if it is not satisfied with the efforts from the first period)” has been added to 6.6.
6.8	To be agreed by the council. include in s106. Who will sign it off? Do you have an Urban Design Officer who can assist with CSB applications?	The text has been changed to “...agreed illustrated design code.” Development management officers with urban design expertise are in place to sign off Design Codes.

6.9	Design Code – illustrate list by drawing up an example.	An example design code is likely to be drawn up and published on the Council's webpages in the near future, but not to form part of the SPD.
6.11	Maybe caveat that it's on a site-by-site assessment basis and depends on the number of CSB secured. CSB plot provision should be set out on phasing plan and ideally agreed at outline stage.	The suggested amendments provide further clarity and have been made.
6.12	Sustainability and eco credentials – this hasn't been mentioned anywhere in the Design Code section. Do you have a renewable energy or sustainability policy you can link this to?	An additional bullet point of "Water use, renewable energy, and sustainable design features (see Policy CC5)" has been added to the list.
6.14	Include in s106 agreement. Summarise all clauses listed at the end of this section for clarity.	An extra line has been added to say "[the Council will] make provision in the S106 to ensure self-build plots are delivered at the correct point of the development."
6.17	Examples of CSB in the area – excellent to illustrate that it's happening already and that there are some outstanding local examples. Could these photos be used throughout the SPD?	It is not considered necessary to reformat.
7.2	One 12-month period isn't a very long period of time to market a CSB plot. you may want to consider a second marketing period between 6-12 months. You want to retain that CSB plot and count it towards your provision, so a longer period can help ensure that everything possible has been done in this respect.	New reference to an extra marketing period, if the Council is unsatisfied with the efforts of the first period, is made at Paragraphs 6.6 and A3.8.
7.3	To be agreed by the council. Include the appearance of plots, plot markings (plot size), signage and accessibility – prior to the 12-month marketing period commencing.	An extra clause reading "which must be agreed by the Council and required through an S106 clause" has been added to para 7.3.
7.4	List these as bullet points. They are the essentials and minimum detail a developer/applicant should include.	The points in Paragraph 7.4 have been turned into a bulleted list.
7.6	Don't commence marketing until Design Code and Plot Passport have been agreed by the council.	Paragraph 7.6 and the standard conditions and S106 clauses already state that the Design Code and Plot Passport should be agreed before marketing may commence. No change to SPD required.
7.8	Is this a staircasing/cascade clause in your s106?	The third standard S106 clause includes the requirement for a demonstration of

		satisfactory marketing period before other uses will be supported. No change to SPD required.
9	CIL – count plots when part 2 has been submitted. Not all of part 1 applications go on to submit part 2.	A new sentence has been inserted into 9.4: “Plots will only be counted as self-build when Part 2 of the CIL Exemption Claim Form has been submitted; not all Part 1 applications go on to submit Part 2.”
10.5	Include earlier in SPD - maybe in section 5. Link it to the submission of planning applications and how early engagement (pre-apps) can help shape the CSB proposal and resolve any issues.	The Council agrees this is worth promoting. A new paragraph to explain the pre-application service has been appended to Chapter 5.
Appendix 1	Excellent inclusion	Noted.
Standard conditions	In bullet points 2 and 3, the conditions relating to Design Codes. I would advise that this also includes Plot Passports.	Policy HS5 recommends that an information pack / passport should be provided, not ‘must’. Making this a firm requirement may be introducing a demand beyond the policy, which SPDs should not do.
A3.5	Marketing requirements. I would include this in the main body of the SPD marketing section. It’s a critical topic to discuss and can make or break CSB plot sales. You have the right content in the appendices, but I think it needs more exposure earlier in the SPD.	The Council agrees that it is very important to highlight the marketing requirements. A summary table of marketing actions has been additionally included in Chapter 7. Appendix 3 has been left to give further detail on the whole process.
A3.8	Could include a second marketing period? Then a review and agreement period with the developer/applicant?	This paragraph includes “instruct to the developer to market the plot(s) for a further period with a new agreed strategy”, which covers this point. New reference to an extra marketing period, if the Council is unsatisfied with the efforts of the first period, is also made at Paragraph 6.6.

Table 3: Other amendments made to SPD since consultation

Amendment	Reason
<p>Paragraph 3.2 Update the title of the National Planning Policy Framework 2021 to 2023.</p>	<p>To reflect the latest update to national guidance. The substance of paragraph 62 is the same in both revisions.</p>
<p>Paragraph 6.1 (3rd bullet point) Insertion of <u>“and with each plot accompanied by a plot passport (see paragraph 7.3) that includes a stipulation to comply with the Design Code which must have been approved via discharge of condition before that point.”</u></p>	<p>To increase the clarity on what would be required by relevant parties at the marketing stage of the process, in line with stipulations elsewhere in the document.</p>
<p>Paragraph 6.10 Insertion of new paragraph: <u>“Although they should set clear parameters, Design Codes should avoid being too prescriptive or detailed on matters of architecture or materials. It is not the function of the Design Code to make all plots in a self-build development look the same, rather the opposite: allowing the flexibility for architects to design original or innovative styles of house which may not reflect the traditional form of the locality, but are high-quality and varied yet complementary in terms of scale and layout, is the desired intention. Design Code submissions which are inflexible or overly conventional may face being returned for reworking. Some examples showing the content that may be included will be placed on the Council’s website.”</u></p>	<p>The Council wishes to make clearer the purposes and limitations of a self-build Design Code, to provide developers and their architects with better guidance on why they are required and what the Council will be looking for in design terms.</p>
<p>Paragraph 6.17 Removal of the mention of gas from the services required on plots.</p>	<p>Because our low-carbon aspirations make the use of heat pumps first preference and to reduce the amount of future retrofitting, the Council would prefer not to mandate that a fossil fuel connection be provided on self-build plots. This is consistent with the Calderdale Climate Action Plan 2022.</p>