

INSPECTORS REPORT – STATEMENT OF DECISIONS
UDP – Policy Framework, Chapter 6, Housing

SD Ref UDP – Case Ref IR – Page No.	Inspector’s Recommendation	CBMDC Decision and Reasons	Mod Ref
<p>SD - SD/PF/H/1</p> <p>UDP – Paragraphs 6.1 to 6.4</p> <p>IR – Policy Framework, pages 66 to 67, paragraph 6.54.</p>	<p>I recommend that no modification be made to the RDDP besides the modifications I make elsewhere in this chapter of my report.</p>	<p>Decision : Accepted</p> <p>Reasons : For the reasons set out in the Inspector’s Report.</p> <p>Other modifications have been made to these paragraphs, see MOD/PF/H/1, MOD/PF/H/2, MOD/PF/H/3, MOD/PF/H/6.</p>	N/A
<p>SD – SD/PF/H/2</p> <p>UDP – Policies H1 & H2 & Paragraphs 6.5-6.12, Monitoring.</p> <p>IR - Policy Framework, pages 67 to 73, paragraph 6.78.</p>	<p>I recommend that the RDDP be modified as follows:</p> <p>[a] Insert a new monitoring policy, worded as set out below, between present Policies H1 and H2, with consequent policy renumbering:</p> <p style="padding-left: 40px;">POLICY H2</p> <p style="padding-left: 40px;">THE COUNCIL WILL REGULARLY MONITOR THE ANNUAL ADDITIONS OF DWELLINGS WITHIN THE DISTRICT. MONITORING WILL BE UNDERTAKEN ON AN ANNUAL BASIS, LEADING TO THE PUBLICATION OF AN ANNUAL REPORT ON THE RESULTS OF THE MONITORING EXERCISE. THESE RESULTS WILL BE A MATERIAL CONSIDERATION IN DETERMINING WHETHER TO MAKE AN EXCEPTION TO THE PHASING PROVISIONS, AS SET OUT IN POLICY H3.</p>	<p>Decision : Accepted in Part.</p> <p>Reasons : The Council accepts the need for a monitoring policy and lower case text, as recommended by the Inspector. However, the Council has not accepted the Inspector’s recommendation to number the new monitoring policy as H2, numbering it as H3 instead. If the monitoring policy became the new H2 then all the Phase 2 housing sites, currently referenced H2, would have to be re-referenced. Part of the new Phase 2 site references would be the notation ‘H3’, as the originating policy covering Phase 2 housing sites. This would confuse users of the plan into thinking that H3 sites were Phase 3 sites and that there were no Phase 2 sites. This is of particular importance as there were objectors to the plan who were seeking a third phase of the plan, with its own allocation of housing sites.</p> <p>In addition, the Council considers it preferable to document the phasing policies before the monitoring policy, which elaborates on some of the provisions of the Phase 2 Housing policy.</p> <p>Existing Policy H3 is renumbered accordingly.</p>	MOD/PF/ H/41
<p>SD - SD/PF/H/3</p> <p>UDP – Policies H1 & H2 & Paragraphs 6.5-6.12, Monitoring.</p> <p>IR – Policy Framework, pages 67 to 73, paragraph 6.78.</p>	<p>I recommend that the RDDP be modified as follows:</p> <p>[b] Insert a new paragraph of lower case text immediately following the new Policy H2. This paragraph is to justify the monitoring Policy H2, and should, inter alia, explain the purpose of monitoring,.....</p>	<p>Decision : Accepted in Part.</p> <p>Reasons : The Council accepts the need for the insertion of lower case text, as recommended by the Inspector. However, the Council has not accepted the Inspector’s recommendation to solely insert one new paragraph of text immediately following the new monitoring policy, nor to number the new monitoring policy as H2.</p> <p>To fully justify and expand upon the new policy, the Council has inserted a series of new paragraphs that precede and follow the new policy H3.</p>	MOD/PF/ H/42

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		The Council's decision not to accept the Inspector's recommendation on the number of the new monitoring policy is justified at SD/PF/H/2.	
SD - SD/PF/H/4 UDP – Policies H1 & H2 & Paragraphs 6.5-6.12, Monitoring. IR – Policy Framework, pages 67 to 73, paragraph 6.78.	I recommend that the RDDP be modified as follows: [b] Insert a new paragraph of lower case text.....list the factors to be monitored,.....	Decision : Accepted. Reasons : For the reasons set out in the Inspector's Report.	MOD/PF/ H/43
SD - SD/PF/H/5 UDP – Policies H1 & H2 & Paragraphs 6.5-6.12, Monitoring. IR – Policy Framework, pages 67 to 73, paragraph 6.78.	I recommend that the RDDP be modified as follows: [b] Insert a new paragraph of lower case text.....and outline the monitoring process,.....	Decision : Accepted. Reasons : For the reasons set out in the Inspector's Report.	MOD/PF/ H/44
SD - SD/PF/H/6 UDP – Policies H1 & H2 & Paragraphs 6.5-6.12, Monitoring. IR – Policy Framework, pages 67 to 73, paragraph 6.78.	I recommend that the RDDP be modified as follows: [b] Insert a new paragraph of lower case text.....with a commitment to working with the development industry, including through the medium of meetings.	Decision : Accepted. Reasons : For the reasons set out in the Inspector's Report.	MOD/PF/ H/45
SD - SD/PF/H/7	I recommend that the RDDP be modified as follows:	Decision : Accepted in Part.	MOD/PF/ H/30

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<p>UDP – Policies H1 & H2 & Paragraphs 6.5-6.12, Phasing.</p> <p>IR – Policy Framework, pages 67 to 73, paragraph 6.78.</p>	<p>POLICY H2 – delete and replace with</p> <p>POLICY H3</p> <p>PROPOSALS FOR RESIDENTIAL DEVELOPMENT ON ANY SITE ALLOCATED ON THE PROPOSALS MAP AS A PHASE 2 HOUSING SITE WILL NOT BE PERMITTED UNTIL THE TOTAL OF DWELLINGS COMPLETED OR COMMENCED DURING PHASE 1 IS 90% OF THE CUMULATIVE PHASE 1 DWELLING REQUIREMENT. THE EARLY RELEASE OF PHASE 2 SITES WILL BE CONSIDERED IN THE FOLLOWING CIRCUMSTANCES:</p> <p>(1) ALLOCATED PHASE 1 SITES, AND WINDFALLS, PROVIDE CONSISTENTLY AND SIGNIFICANTLY FEWER DWELLINGS THAN CALLED FOR BY THE HOUSING REQUIREMENT, OR WOULD FAIL TO PRODUCE A 5 YEAR SUPPLY OF DWELLINGS. THIS COULD LEAD TO THE RELEASE OF INDIVIDUAL SITES OR GROUPS OF SITES, OR PHASE 2 AS A WHOLE COULD BE BROUGHT FORWARD.</p> <p>(2) WHERE A SITE COULD MAKE A SUBSTANTIAL CONTRIBUTION TO MEETING A LOCAL NEED FOR AFFORDABLE HOUSING IN CIRCUMSTANCES WHERE THERE IS A DEMONSTRABLE LACK OF AFFORDABLE HOUSING.</p> <p>(3) WHERE A SITE REQUIRES AN UNUSUALLY LONG LEAD TIME FOR INVESTMENT.</p> <p>POSTPONEMENT OF THE RELEASE OF PHASE 2 AS A WHOLE WILL BE CONSIDERED IF THE ANNUAL CONTRIBUTION OF DWELLINGS FROM</p>	<p>Reasons : The Council accepts the need to delete the current phase 2 housing policy and replace it with the one recommended by the Inspector. However, the Council has not accepted the Inspector’s recommendation to number the new phase 2 housing policy as H3, keeping it as H2 instead. If the phase 2 housing policy became the new H3 then all the Phase 2 housing sites, currently referenced H2, would have to be re-referenced. Part of the new Phase 2 site references would be the notation ‘H3’, as the originating policy covering Phase 2 housing sites. This would confuse users of the plan into thinking that H3 sites were Phase 3 sites and that there were no Phase 2 sites. This is of particular importance as there were objectors to the plan who were seeking a third phase of the plan, with its own allocation of housing sites.</p> <p>In addition, the Council considers it preferable to document the phasing policies before the monitoring policy, which elaborates on some of the provisions of the Phase 2 Housing policy.</p> <p>Existing Policy H3 is renumbered accordingly.</p> <p>The Council accepts the need to include sub-paragraph (1) to the policy, but has chosen not solely to refer to ‘windfalls’. Following from the description of all sources of supply other than allocations, in new paragraph 6.4h of the Policy Framework, the Council prefers to consistently refer to ‘infill, conversions and windfalls’.</p> <p>The Council accepts the Inspector’s recommendation that Supplementary Planning Guidance (SPG) could provide the mechanism for the release of phase 2 housing sites. This would allow the Council to react positively and quickly to events not sufficiently fundamental to warrant an alteration or replacement to this UDP.</p> <p>However, the Council must have regard to the Planning and Compulsory Purchase Act 2004 (The Act), which commenced on 28th September 2004. The Act and accompanying Regulations (Town and Country Planning (Local Development) (England) Regulations 2004), now require Council’s to produce Local Development Frameworks (LDF), rather than Unitary Development Plans. Revisions to the phasing of sites would have to follow the new system and also have regard to Planning Policy Statement 12 Local Development Frameworks (PPS12). If the Council considers it necessary to alter the phasing of sites, this will be carried out by the promotion of a Local Development Document as part of an LDF, rather than replacing, altering, or producing SPG to this UDP.</p>	

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	<p style="text-align: center;">PHASE 1 SOURCES IS SIGNIFICANTLY GREATER THAN THE REQUIREMENT.</p> <p style="text-align: center;">WHERE THE COUNCIL CONSIDERS IT DESIRABLE TO RE-ASSIGN SITES BETWEEN PHASES OR TO CHANGE THE TIMING OF THE RELEASE OF PHASE 2, THIS WILL NORMALLY BE DONE BY MEANS OF SUPPLEMENTARY PLANNING GUIDANCE.</p>		
<p>SD - SD/PF/H/8</p> <p>UDP – Policies H1 & H2 & Paragraphs 6.5-6.12, Phasing.</p> <p>IR – Policy Framework, pages 67 to 73, paragraph 6.78 [d].</p>	<p>I recommend that the RDDP be modified as follows:</p> <p>[d] Paragraphs 6.8-6.11 – delete and replace with new reasoned justification, which should at least cover the following points:</p> <p>[1] The results of monitoring will be used to assist with the implementation of Policy H3. Changing circumstances can amount to other material considerations sufficient to justify granting planning permission for individual planning applications.</p>	<p>Decision : Accepted in Part.</p> <p>Reasons : The Council accepts the need to delete the current lower case text, paragraphs 6.8-6.11, and to replace them with new reasoned justification as recommended by the Inspector.</p> <p>The Council’s decision not to accept the Inspector’s recommendation on the number of the new phase 2 housing policy is justified at SD/PF/H/7.</p>	MOD/PF/ H/32
<p>SD – SD/PF/H/9</p> <p>UDP – Policies H1 & H2 & Paragraphs 6.5-6.12, Phasing.</p> <p>IR – Policy Framework, pages 67 to 73, paragraph 6.78 [d].</p>	<p>I recommend that the RDDP be modified as follows:</p> <p>[2] Before considering taking action under the first exception to Policy H3 the Council will make every effort to secure the speedy development of windfall and allocated sites, delays to which threaten to depress the annual total of dwellings built. Should phase 2 sites be re-assigned to phase 1, these sites will be the more sustainable phase 2 sites.</p>	<p>Decision : Accepted in Part.</p> <p>Reasons : The Council accepts this recommendation with the exception of the numbering of the policy. The Council’s decision not to accept the Inspector’s recommendation on the number of the new phase 2 housing policy is justified at SD/PF/H/7.</p> <p>The Council accepts the need to include lower case text relating to sub-paragraph (1) to the policy, but has chosen not solely to refer to ‘windfalls’. Following from the description of all sources of supply other than allocations, in new paragraph 6.4h of the Policy Framework, the Council prefers to consistently refer to ‘infill, conversions and windfalls’.</p>	MOD/PF/ H/34
<p>SD – SD/PF/H/10</p> <p>UDP – Policies H1 & H2 & Paragraphs 6.5-6.12,</p>	<p>I recommend that the RDDP be modified as follows:</p> <p>[3] In considering any site under the second exception to Policy H3 the Council will have regard to any harm to</p>	<p>Decision : Accepted in Part.</p> <p>Reasons : The Council accepts this recommendation with the exception of the numbering of the policy. The Council’s decision not to accept the Inspector’s</p>	MOD/PF/ H/36

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Phasing. IR – Policy Framework, pages 67 to 73, paragraph 6.78 [d].	sustainability objectives which might result from the development of the site.	recommendation on the number of the new phase 2 housing policy is justified at SD/PF/H/7.	
SD – SD/PF/H/11 UDP – Policies H1 & H2 & Paragraphs 6.5-6.12, Phasing. IR – Policy Framework, pages 67 to 73, paragraph 6.78 [d].	I recommend that the RDDP be modified as follows: [4] In considering any site under the third exception to Policy H3, planning conditions or obligations will be used to ensure that dwelling completions are not premature.	Decision : Accepted in Part. Reasons : The Council accepts this recommendation with the exception of the numbering of the policy. The Council’s decision not to accept the Inspector’s recommendation on the number of the new phase 2 housing policy is justified at SD/PF/H/7.	MOD/PF/ H/37
SD – SD/PF/H/12 UDP – Policies H1 & H2 & Paragraphs 6.5-6.12, Phasing. IR – Policy Framework, pages 67 to 73, paragraph 6.78 [d].	I recommend that the RDDP be modified as follows: [5] The way in which SPG would be used to amend phasing provisions, including the fact that SPG is subject to public consultation. [6] That formal review of the plan, leading to alteration or replacement, would be used where fundamentally changed circumstances affect the strategy.	Decision : Accepted in Part. Reasons : The Council accepts the Inspector’s recommendation that Supplementary Planning Guidance (SPG) could provide the mechanism for the release of phase 2 housing sites. This would allow the Council to react positively and quickly to events not sufficiently fundamental to warrant an alteration or replacement to this UDP. However, the Council must have regard to the Planning and Compulsory Purchase Act 2004 (The Act), which commenced on 28 th September 2004. The Act and accompanying Regulations (Town and Country Planning (Local Development) (England) Regulations 2004), now require Council’s to produce Local Development Frameworks (LDF), rather than Unitary Development Plans. Revisions to the phasing of sites would have to follow the new system and also have regard to Planning Policy Statement 12 Local Development Frameworks (PPS12). If the Council considers it necessary to alter the phasing of sites, this will be carried out by the promotion of a Local Development Document as part of an LDF, rather than replacing, altering, or producing SPG to this UDP.	MOD/PF/ H/38
SD – SD/PF/H/13	I recommend that the RDDP be modified as follows: POLICY H3 – delete the final section, after “SEVERELY	Decision : Accepted.	MOD/PF/ H/46

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<p>UDP – Policy H3: Protecting Allocated Housing Sites</p> <p>IR – Policy Framework, pages 73 & 74, paragraph 6.80.</p>	PREJUDICED,”.	<p>Reasons : The Council accepts the recommendation to delete the final section of the policy for the reasons set out in the Inspector’s Report.</p> <p>As a consequence of the new policy on monitoring and the deletion of RDDP Policy H4, on ‘Temporary Uses on Phase 2 Housing Sites’, this policy on ‘Protecting Allocated Housing Sites’ is renumbered as Policy H4.</p>	
<p>SD – SD/PF/H/14</p> <p>UDP – Policy H4: Temporary Uses in Phase 2 Housing Sites</p> <p>IR – Policy Framework, pages 74 & 75, paragraph 6.84.</p>	I recommend the modification of the RDDP by the deletion of Policy H4 and of paragraph 6.14.	<p>Decision : Accepted</p> <p>Reasons : For the reasons set out in the Inspector’s Report.</p>	MOD/PF/ H/47
<p>SD – SD/PF/H/15</p> <p>UDP – Policy H5: Residential Development of Land and Buildings not Protected for Other Purposes</p> <p>IR – Policy Framework, pages 75 & 76, paragraph 6.91.</p>	I recommend that no modification be made to the RDDP.	<p>Decision : Accepted</p> <p>Reasons : For the reasons set out in the Inspector’s Report.</p>	N/A
<p>SD – SD/PF/H/16</p> <p>UDP – Policy H6: Non- Residential Development of Existing Residential Uses</p>	I recommend that no modification be made to the RDDP.	<p>Decision : Accepted</p> <p>Reasons : For the reasons set out in the Inspector’s Report.</p>	N/A

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IR – Policy Framework, page 76, paragraph 6.96.			
SD – SD/PF/H/17 UDP – Paragraphs 6.17 to 6.18 IR – Policy Framework, pages 76 & 77, paragraph 6.99.	I recommend that the RDDP be modified as follows: Paragraph 6.18 – add to the first sentence , except where the existing use is protected by another policy of this plan.	Decision : Accepted Reasons : For the reasons set out in the Inspector’s Report.	MOD/PF/ H/49
SD – SD/PF/PF/H/18 UDP – Policies H7 and H8, paragraph 6.22 IR – Policy Framework, pages 77 to 79, paragraph 6.109.	I recommend that the RDDP be modified as follows: Paragraph 6.22 – delete all but the first sentence.	Decision : Accepted Reasons : For the reasons set out in the Inspector’s Report.	MOD/PF/ H/50
SD – SD/PF/H/19 UDP – Paragraph 6.27 IR – Policy Framework, pages 80-81, paragraph 6.114.	I recommend that no modification be made to the RDDP.	Decision : Accepted. Reasons : For the reasons set out in the Inspector’s Report. Other modifications have been made to this paragraph, see MOD/PF/H/52.	N/A
SD – SD/PF/H/20 UDP – Policy H9 – Affordable Housing IR – Policy Framework,	I recommend that the RDDP be modified as follows: [a] POLICY H9 – delete the first sentence and, subject to any further modification as a result of recommendation [e], replace with ON PLANNING APPLICATIONS FOR SUBSTANTIAL RESIDENTIAL DEVELOPMENT THE COUNCIL WILL	Decision : Accepted Reasons : The Council accepts the Inspector’s comment that in order to more closely accord with the advice within Circular 6/98 , Policy H9 should be amended to make reference to the economics of provision. This reflects the fact that there will be occasions where negotiations on the required affordable housing element need to	MOD/PF/ H/53

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pages 81-85, paragraph 6.124.	NEGOTIATE FOR A PROPORTION OF AFFORDABLE HOUSING BASED ON THE EXTENT AND TYPE OF NEED, THE SUITABILITY OF THE SITE OR BUILDING IN THE CASE OF CONVERSIONS, AND THE ECONOMICS OF PROVISION.	take account of abnormal development costs.	
SD – SD/PF/H/21 UDP – Policy H9 – Affordable Housing IR – Policy Framework, pages 81-85, paragraph 6.124.	I recommend that the RDDP be modified as follows: [b] POLICY H9 - Delete the last sentence and add, within a paragraph justifying the policy, reference to planning conditions and/or planning obligations securing the affordability of housing in perpetuity.	Decision : Accepted. Reasons : The Council accepts the Inspector’s comments in paragraph 6.115 of his report. An addition to the text in paragraph 6.35 of the rUDP referring to the use of planning conditions and obligations will therefore be made and Policy H9 modified accordingly.	MOD/PF/ H/53 MOD.PF/ H/55
SD – SD/PF/H/22 UDP – Policy H9 – Affordable Housing IR – Policy Framework, pages 81-85, paragraph 6.124.	I recommend that the RDDP be modified as follows: [c] Paragraph 6.39 - Change to refer to updated figures for the possible total numbers of affordable dwellings that could be built over the life of the plan.	Decision : Accepted. Reasons : The Council accepts the recommendation for the reasons set out in the Inspector’s Report.	MOD/PF/ H/57
SD – SD/PF/H/23 UDP – Policy H9 – Affordable Housing IR – Policy Framework, pages 81-85, paragraph 6.124.	I recommend that the RDDP be modified as follows: [d] Insert within the justification to the policy clearer reference to what surveys have been, or will need to be, carried out to establish housing need.	Decision : Accepted. Reasons : For the reasons set out in the Inspector’s Report.	MOD/PF/ H/51
SD – SD/PF/H/24	I recommend that the RDDP be modified as follows:	Decision : Accepted.	MOD/PF/ H/54

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<p>UDP – Policy H9 – Affordable Housing</p> <p>IR – Policy Framework, pages 81-85, paragraph 6.124.</p>	<p>[e] Additional explanation should be provided within the justifying paragraphs as to why the one hectare or 25 or more dwelling threshold has been universally adopted, or Policy H9 should be modified to make reference to an alternative threshold applicable to smaller rural settlements.</p>	<p>Reasons : The Council acknowledges that Circular 6/98 allows Local Planning Authorities to adopt lower thresholds for smaller rural settlements. However both the Circular and Policy H4c of Regional Planning Guidance indicate that these should only be included where there is evidence in the form of detailed local assessments of need to support such a lower threshold. It should be noted that not only does there have to be evidence of such a need, but that this evidence also needs to be in a form which would indicate what specific alternative threshold would be appropriate. In the absence of such evidence - as is the case in Bradford - it is therefore reasonable to adopt a universal threshold applicable to all settlements. The universal threshold incorporated within the rUDP was chosen to accord with the advice within paragraph 10 of Circular 6/98. It should also be borne in mind that even without the addition of a separate lower threshold, the plan allows for negotiation of an affordable housing element on smaller sites where justified by proven local need. This allows for any future situation where new evidence of local needs within smaller settlements becomes available to the Council. Finally there are in fact only a few defined settlements which are excluded from the green belt and which have populations below 3,000 to which such a separate lower threshold approach would apply.</p> <p>Additional text will therefore be added to the policy justification to explain why a universal threshold rather than differential thresholds has been adopted.</p>	
<p>SD – SD/PF/H/25</p> <p>UDP – Paragraph 6.33</p> <p>IR – Policy Framework, page 85, paragraph 6.126.</p>	<p>I recommend that no modification be made to the RDDP.</p>	<p>Decision : Accepted.</p> <p>Reasons : For the reasons set out in the Inspector’s Report.</p>	N/A
<p>SD – SD/PF/H/26</p> <p>UDP - Paragraph 6.36</p> <p>IR – Policy Framework, pages 85-86, paragraph 6.128.</p>	<p>I recommend that the RDDP be modified as follows:</p> <p>Paragraph 6.36 – insert the words “and similar shared equity schemes” after “social rented housing”.</p>	<p>Decision : Accepted.</p> <p>Reasons : For the reasons set out in the Inspector’s Report.</p>	MOD/PF/ H/56

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<p>SD – SD/PF/H/27</p> <p>UDP – Policy H10 – Rural Exceptions.</p> <p>IR – Policy Framework, page 86, paragraph 6.131.</p>	<p>I recommend that the RDDP be modified by the provision within the justification to the policy of clarification of what constitutes “proven local need”.</p>	<p>Decision : Accepted.</p> <p>Reasons : For the reasons set out in the Inspector’s Report.</p>	<p>MOD/PF/ H/58</p>
<p>SD – SD/PF/H/28</p> <p>UDP – Paragraphs 6.42 to 6.44</p> <p>IR – Policy Framework, pages 86 & 87, paragraph 6.133.</p>	<p>I recommend that no modification me made to the RDDP.</p>	<p>Decision : Accepted.</p> <p>Reasons : For the reasons set out in the Inspector’s Report.</p>	<p>N/A</p>
<p>SD – SD/PF/H/29</p> <p>UDP – Paragraphs 6.45 to 6.47</p> <p>IR – Policy Framework, pages 87 & 88, paragraph 6.135.</p>	<p>I recommend that no modification be made to the RDDP.</p>	<p>Decision : Accepted.</p> <p>Reasons : For the reasons set out in the Inspector’s Report.</p>	<p>N/A</p>
<p>SD – SD/PF/H/30</p> <p>UDP – Policy Omission 17: Housing Mix</p> <p>IR – Policy Framework, pages 88 & 89, paragraph 6.141.</p>	<p>I recommend that no modification be made to the RDDP.</p>	<p>Decision : Accepted.</p> <p>Reasons : For the reasons set out in the Inspector’s Report.</p>	<p>N/A</p>

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<p>SD – SD/PF/H/31</p> <p>UDP – Policy Omissions 23 & 70: Assessment of Housing Allocations in Meeting RPG & Application of the Sequential Approach</p> <p>IR – Policy Framework, page 89, paragraph 6.143.</p>	<p>I recommend that no modification be made to the RDDP, additional to modifications already made above.</p>	<p>Decision : Accepted.</p> <p>Reasons : For the reasons set out in the Inspector’s Report.</p>	N/A