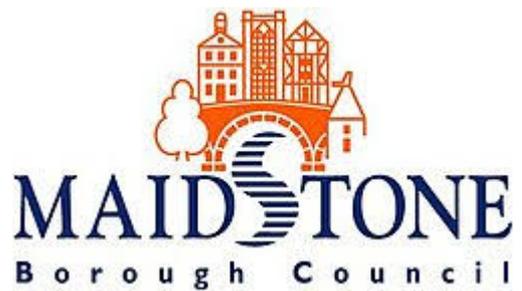


# Maidstone Borough Council



Maidstone Borough Council Affordable and Local Needs Housing  
Supplementary Planning Document (SPD) Draft Version October 2019

## **Consultation Statement**

April 2020

**This statement firstly provides a summary of comments, as well as modifications to the ALNH SPD, resulting from the pre-consultation engagement exercise. It secondly provides a summary of comments, as well as modifications to the ALNH SPD, resulting from the 6-week public consultation exercise.**

## **PRE-CONSULTATION ENGAGEMENT EXERCISE**

1.1 During the preparation of this SPD, Maidstone Borough Council undertook pre-consultation engagement with housing associations and developers. We consulted the following persons and organisations:

David Banfield	Redrow Homes
Barry Chamberlain	Wealden Homes
Tim Daniels	Millwood Designer Homes
Paul Dawson	Fernham Homes
Rosa Etherington	Countryside Properties PLC
Chris Lilley	Redrow Homes
Chris Loughhead	Crest Nicholson
Iain McPherson	Countryside Properties PLC
Stuart Mitchell	Chartway Group
Chris Moore	Bellway
Guy Osborne	Country House Developments
Kathy Putnam	Chartway Group
James Stevens	Home Builders Federation
Julian Wilkinson	BDW Homes
Kerry Kyriacou	Optivo
Adetokunbo Adeyeloja	Golding Homes
Sarah Paxton	Maidstone Housing Trust
Joe Scullion	Gravesend Churches Housing Association
Gareth Crawford	Homes Group
Mike Finch	Hyde HA
Russell Drury	Moat HA
Keiran O'Leary	Orbit HA
Chris Cheesman	Clarion Housing
Michael Neeh	Sanctuary HA
Colin Lissenden	Town and Country
	West Kent HA
Guy Osbourne	Country House Homes
Katherine Putnam	Chartway Group
Annabel McKie	Golding Homes
Councillors at Maidstone Borough Council	Maidstone Borough Council

1.2 The feedback from the pre-consultation engagement was set out in a Consultation Statement that was published alongside the draft SPD as part of a 6-week public consultation that took place between 7<sup>th</sup> October 2019 and 18<sup>th</sup> November 2019. A list of the various responses to the pre-consultation engagement and how the feedback was addressed in the consultation draft SPD is provided below:

<b><u>Comment from consultee</u></b>	<b><u>How the issues raised have been addressed in the SPD</u></b>
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<p>On small sites, it would be conducive for contributions to be paid in relation to sites of below 10 homes in lieu of affordable housing units as these have a higher level of development management intensity both pre and post contract.</p>	<p>Maidstone Borough Council have chosen not to apply a lower threshold of 5-units or less but are requiring affordable housing in accordance with the threshold contained in the current NPPF and NPPG</p>
<p>NDSS size standards – on occasions we have been invited to bid for affordable units that fall short of the NDSS, without strategic control of this issue, via planning policy for example, it has been very difficult to compel developers to deliver units in accordance with NDSS. By way of an example, in London s106 developments must comply with the London Housing Design Guide of which size standards are included thereby resulting in all affordable units achieving the relevant standards.</p>	<p>The SPD says the following: 10.2-The ideal occupancy requirements and minimum floor areas for each affordable unit type are set out in the table below and it should be noted that affordable units are likely to be fully occupied. The Council are investigating the potential for minimum space standards to be adopted in the Local Plan review. The SPD is unable to change or add Policy that differs from the Local Plan.</p>
<p>As an experienced and leading developer of affordable housing, we have delivered affordable housing through a variety of mediums, working in partnership with major/volume housebuilders who understand what is required, but don't often deliver it. Usually we are involved in a competitive bidding war against other RP's to maximise the developers' offers. We have little choice or say in how or what is being provided, notwithstanding our enthusiasm to become involved in the curating of the affordable housing offer within the early stages of the development process, for example at feasibility and outline design stages. To this end, we either compromise or don't bid where we think there are longevity issues. Whilst RPs are similar in nature in their remit to provide genuinely affordable housing, we do however work differently in some cases and therefore</p>	<p>The SPD says the following: 11.9-In cases where developers are experiencing difficulties securing a housing partner, they will be required to provide a copy of their brief inviting offers from Registered Providers and the names of the Registered Providers invited to offer. Registered Providers who choose not to submit an offer in such cases will also be asked for their reasons, in order for the District Council to establish what obstacles may prevent a developer securing an affordable housing provider and to assist them in overcoming them.</p> <p>11.10-The initial consultation period revealed that many developers find it difficult to obtain realistic offers from RPs for smaller sites where the affordable housing requirement is less than 15 units.</p>

<p>not all RPs are concerned about the level of participation in shaping the affordable housing proposals. Against this backdrop, aligning a uniform response to working with developers is a challenge and we would welcome new policy and strategy in overcoming this.</p>	<p>11.11-In some cases, the Borough Council may take on the brokerage role itself or look at alternative delivery methods including providing the affordable units themselves. This could be in the form of a Housing Delivery Partnership (HDP) with a Registered Provider.</p>
<p>In contrast, smaller developers who bring opportunities are more willing to engage at earlier stages where we can influence the best outcome for all parties (landowner, developer and end customer (all via LA and RP expectations)</p>	<p>Noted and see above.</p>
<p><i>What could be improved?</i> - Better engagement with RPs to refine the design of the affordable housing offering at an early stage –i.e. a collaborative approach that goes beyond consultative to active participation. A protocol or process for working with RPs could be considered. We are working within a competitive environment for the provision of affordable housing, a return to site registrations could mitigate bidding wars.</p>	<p>Maidstone Council do not have an “approved list” of Registered Providers but the SPD lists those working in the Borough. The SPD says the following: 11.8-With both approaches the Borough Council will require the developer to have agreed a suitable affordable housing partner and to have entered into a contract with them to deliver the affordable housing units prior to work beginning on site, on any development or phase of a development. Early engagement with an RP is vital. An information summary has been provided in the SPD at Chapter 17. The SPD says the following: 16.2- It is the intention that an Enabling Fee (subject to annual review) will be incurred on each affordable housing unit delivered in Maidstone Borough Council area. These fees are designed to help with the provision of an affordable housing enabling service, assisting with the financial, legal, social, economic and environmental objectives required to secure and maximise affordable housing delivery and additional services. 16.11-These proposed enabling fees are designed to maximise affordable housing delivery in the Borough by assisting registered providers with support.</p>
<p>Provision of an affordable housing cost formula to homogenise bids from RPs for new AH, again to mitigate bidding wars. Historically the value of new affordable housing development was based on total cost indicators which levelled the playing field.</p>	<p>This is dealt with in Chapter 13 of the SPD entitled "Transfer values"</p>

<p>The SHMA provides a good foundation and enables a strong influence, we believe it is imperative to ensure there is a sufficient link that creates a community that can thrive and has place making qualities that there will always be a demand for. SHMA's do shift a bit over time, so there is some flexibility. As for market/sub-market housing we will be more market led as SHMA's are not always accurate enough to rely on. We have, as a solution, developed mitigation plans that can cope with a rapid change in market conditions, but this would be only for unusual circumstances.</p>	<p>The SPD says the following at chapter 17 - The mix of open market units and affordable units provided on site should comply with the mix outlined in the SHMA (January 2014). Where affordable housing is to be provided, developers should also take into consideration the needs of households on the council's housing register and discuss affordable housing requirements with the council's housing team at the pre-submission stage of the planning process.</p>
<p>We believe there is a particular challenge with 2 bed- 3 person homes for affordable rent – it is the new bedsit problem of the future in our opinion.</p>	<p>The SPD says the following: 10.4-The Council will normally only accept 2 bed 4-person units 3 bed 5/6-person units and 4 bed 6/7/8-person units.</p> <p>10.5-2 bed 3-person or 3 bed 4-person units will not normally be accepted.</p>
<p>As place shapers sustainability is at the heart of our schemes and building developments that foster social cohesion is an imperative. To illustrate, we avoid clustering 1 and 2 bed needs together, thereby balancing unit locations to avoid clashes of lifestyles, that is, avoiding concentrations of family housing immediately adjacent to single person households etc. We also seek to balance the tenure choices within the realms of local policy which we believe is sufficiently clear.</p>	<p>The SPD deals with this issue at Chapter 9- Incorporating the Affordable Housing Requirement on Site</p>

<p>Evidencing the demand for shared ownership is not simple and requires a triangulation. The Homebuy Agent does not support sufficiently what that demand is, and we don't expect the guidance to be any clearer. To address this demand intelligence, we have to research other sources of evidence for example assessing local demography and income levels compared to local markets and attainability of homeownership. So maybe an aspirational split of tenure indicating percentage of homes shared ownership can only be the approach.</p>	<p>The SPD says the following: 11.11-In some cases, the Borough Council may take on the brokerage role itself or look at alternative delivery methods including providing the affordable units themselves. This could be in the form of a Housing Delivery Partnership (HDP) with a Registered Provider and 1.10-This SPD will look to address this through the encouragement of the inclusion of social rent and discounted open market units. Social rents are set at more affordable rates than "affordable rent" and discounted market sale can include larger discounts than normal making them more affordable than shared ownership products. With regard to affordability the SPD says the following: 8.18-It is the intention of the Council that in order to be eligible for a shared ownership home the annual household income of applicants should be less than £60,000 rather than £80,000. it also says the following: 9.7-The local Plan refers to potential flexibility to change from shared ownership homes to 'intermediate rented' if market conditions change. Some RPs have experienced a downturn in demand for shared ownership in rural locations where there is a lot of shared ownership coming on to the market at the same time.</p>
<p>We make an offer based on the tenure and housing mix, usually using the LHA rate as rental stream if these are lower than 80% of market rent levels, and model this in our appraisal against annual appraisal criteria set by our Board.</p>	<p>This is dealt with in the SPD: 8.8-It is the Council's requirement that RPs cap their affordable rents to LHA levels if the 80% of the gross market rents exceeds the LHA level.</p>
<p>You will know that the price being paid by RPs is more than that to cover the build cost. It won't be the full cost of land they pay, so some subsidy is being provided by the developer. But on mixed tenure schemes transfer values that are around 80% of market value are not uncommon.</p>	<p>This is dealt with in the SPD at Chapter 13 - Transfer Values</p>

<p>For S106 schemes of under 20 homes we believe there needs to be a change of approach. For schemes under 10 homes MBC should look at a sliding scale of contributions. SDC are also now considering the developer provides land with planning to be transferred for £1 to an RP to procure the construction. This could work on very high value sites, although we are conscious that the works costs, we can develop at will leave a funding gap – can this be grant funded, or a dowry provided by the developer? This could be complex if there are a lot of small sites to deliver.</p>	<p>Maidstone Borough Council have chosen not to apply a lower threshold of 5-units or less but are requiring affordable housing in accordance with the threshold contained in the current NPPF and NPPG. The SPD also says the following: 9.8-The wording of new Section 106 Agreements should incorporate this flexibility so that there is scope for tenure changes to be agreed without the need for Section 106 Agreements to be amended and also says the following: 13.7-Furthermore, there is still the flexibility allowed through the 'viability appraisal' route as set out in Policy SP20 of the Local Plan.</p>
<p>Do you consider the affordable housing provided to be "tenure blind"? - Not in all cases, but it is getting better. But that's once you get to the back of the site next to the motorway, rail lines, the communal bins and sub-stations! In general, new schemes are tenure blind from an external elevational and fenestration perspective, internally the specifications somewhat differ between the affordable rent, shared ownership and market housing. In the case of the latter, market housing purchasers seek to customise their accommodation according to their needs. In terms of shared ownership, there is usually an enhanced specification above the affordable rent owing to commercial sensitivities and the need to adopt a more consumerist approach. In terms of the clustering and juxtapositioning of the tenures, this is usually driven by the developer to optimise the market value of the units by capitalising on the best aspects following a comprehensive assessment of the site's opportunities and constraints during the concept design stages.</p>	<p>The SPD deals with this issue at Chapter 9- Incorporating the Affordable Housing Requirement on Site</p>
<p>Tenures are often separated, that is not pepper potted, to respond to commercial sensitivities around selling private and shared ownership and to simplify the service charge and asset management over the long term.</p>	<p>The SPD deals with this issue at Chapter 9- Incorporating the Affordable Housing Requirement on Site</p>
<p>During occupation we seek to homogenise estate and block management with the private elements by working in partnership to ensure all tenures benefit from the same levels of estate management thus avoid a distinction.</p>	<p>The SPD deals with this issue at Chapter 9- Incorporating the Affordable Housing Requirement on Site</p>

<p>There is a concern at the growing interest in non-RP's taking on the S106 homes and having them managed by RP's. This is an investment game and the social and economic factors of social housing shouldn't be mixed like this in our view. To exemplify the point, investors are less likely to be concerned to address issues that are raised in the above points as we suspect that 2-5 years into their ownership, they will trade that portfolio as a going concern to another investor. How does MBC ensure that standards of development aren't being compromised, and the life expectancy of the homes is being maintained? Where would the landlord commitment be? This short term-ism is not compatible in providing and managing affordable homes over the long haul; we believe that a policy response to this potentially intractable issue is compelling.</p>	<p>The SPD says the following: 11.11-In some cases, the Borough Council may take on the brokerage role itself or look at alternative delivery methods including providing the affordable units themselves. This could be in the form of a Housing Delivery Partnership (HDP) with a Registered Provider. The SPD also addresses this comment in Chapter 10- DEVELOPMENT SITE STANDARDS AND CHARACTERISTICS</p>
<p>There needs to be recognition of local circumstances that may affect demand for particular unit types in any given location. For example, level sites with good access to facilities may be particularly suitable for wheelchair standard homes; other locations may attract high demand for affordable family housing but less demand for people with a 1 bed flat need, for example.</p>	<p>This is an issue that the SPD is not best placed to address. It is more of a planning consideration.</p>
<p>The SPD should give flexibility for the total number of affordable units to be varied in return for a number of truly wheelchair standard home being provided, on suitable sites.</p>	<p>The SPD has the flexibility to deal with this issue. The SPD says the following: 9.8-The wording of new Section 106 Agreements should incorporate this flexibility so that there is scope for tenure changes to be agreed without the need for Section 106 Agreements to be amended</p>
<p>To support the new SPD, robust and up to date evidence must be maintained that includes consideration of benefit entitlements alongside the stated housing need of different household types.</p>	<p>The SHMA is updated regularly.</p>
<p>Ideally the SPD should define 2-bedroom units such that they will be 2-bedroom 4 person units, i.e. with a double and a twin bedroom; and 3-bedroom units should be defined so that they will be 5 person units not 4 person units.</p>	<p>The SPD says the following: 10.4-The Council will normally only accept 2 bed 4-person units 3 bed 5/6-person units and 4 bed 6/7/8-person units.</p> <p>10.5-2 bed 3-person or 3 bed 4-person units will not normally be accepted.</p>

<p>To ensure homes will be affordable, the SPD should preferably state that the title to affordable housing units must be freehold or if leasehold, then long lease, at nil ground rent.</p>	<p>Ground rents are normally only charged on private units. New Government legislation is looking to outlaw ground rents.</p>
<p>Whilst we are keen for all development to be 'tenure blind' we do sometimes want to make changes to the specification proposed by developers especially as some only offer a very basic specification for affordable units. Developers can be reluctant to make internal specification changes or seek to charge a premium. We recognise that this can be because proposed alternative components are difficult to source through their existing supply chains and add complication to their build. However, we always have to balance this with ensuring suitable quality of the finished homes and the cost effectiveness of future maintenance.</p>	<p>This comment is noted but it is not possible to deal with this issue in the SPD</p>
<p>Developers may try to transfer any flats on a Leasehold basis to enable them to profit from/sell on ground rents and well as making profits from management companies. We look to secure freehold title wherever possible. Where the affordable 'quotas' includes a number of flats within a larger private block this tends to be particularly problematic, and service charge and ground rent may make these properties unaffordable.</p>	<p>New Government legislation is dealing with this issue. The SPD also says the following: 9.3- Following consultation with registered providers (RPs) it is accepted that there are inherent problems with blocks of flats that have shared tenures of open market and rent with regard to ground rents and service charges.</p> <p>9.4- Where flats are provided on site as part of the affordable housing package then these should be in separate blocks with the freehold transferred to the RP. This will enable the RPs to set service charges which are affordable to their tenants/purchasers.</p>
<p>Leasehold terms and estate wide management company conditions normally include a prohibition on parking commercial vehicles, which we always seek to negotiate out as otherwise people who drive for example a small commercial vehicle for work will be unable to park near their homes.</p>	<p>Note - but this is not something that the SPD can look to address.</p>
<p>We value the relationship with Andrew Connors and others in the housing team.</p>	<p>Noted</p>

<p>Viability tends to be more problematic when developing small sites, and flexibility on planning requirements can make the difference between a project proceeding or being unviable. Greater flexibility on the tenure mix would assist with viability – for example allowing the affordable ‘quota’ to be 100% AR or possibly 100% SO – having just 1 or 2 SO units can mean disproportionate marketing costs for the RP- giving developers flexibility may make it easier for them to interest RPs in offering for very small numbers of affordable units.</p>	<p>There is flexibility built into the draft SPD. Chapter 15 deals with viability.</p>
<p>We have experienced difficulties where MBC S106 Agreement has contained a requirement for Lifetime Homes standard to be achieved on all affordable homes (but not on any of the private units.) In particular, this requirement has occasionally been included in the terms of the S106 even when the planning approved layouts for those units did not enable Lifetime Homes compliance.</p>	<p>The SPD also addresses this comment in Chapter 10-DEVELOPMENT SITE STANDARDS AND CHARACTERISTICS</p>
<p>Good practice examples include :access to informal pre application advice for affordable projects; regular affordable housing meeting with planning officers and highways rep; sharing draft planning conditions before decision issued so that any potentially problematic conditions can be discussed and potentially amended; Council providing feedback on draft Unilateral Undertaking in lieu of Section 106 Agreement, to speed up planning process; Council agreeing principles of local lettings plan at outset of project where mix included high proportion of smaller flats</p>	<p>The SPD says the following: 11.8-With both approaches the Borough Council will require the developer to have agreed a suitable affordable housing partner and to have entered into a contract with them to deliver the affordable housing units prior to work beginning on site, on any development or phase of a development. Early engagement with an RP is vital. An information summary has been provided in the SPD at Chapter 17. The SPD says the following: 16.2-It is the intention that an Enabling Fee (subject to annual review) will be incurred on each affordable housing unit delivered in Maidstone Borough Council area. These fees are designed to help with the provision of an affordable housing enabling service, assisting with the financial, legal, social, economic and environmental objectives required to secure and maximise affordable housing delivery and additional services. 16.11- These proposed enabling fees are designed to maximise affordable housing delivery in the Borough by assisting registered providers with support.</p>

<p>The local Plan refers to potential flexibility to change from shared ownership homes to 'intermediate rented' if market conditions change and it is particularly timely for the Council to consider this. We have already experienced some downturn in demand for shared ownership in rural locations where there is a lot of shared ownership coming on to the market at the same time, and coupled with this are mindful of the risk of a wider market downturn, possibly combined with reduction in mortgage availability. The wording of the new SPD and subsequent new Section 106 Agreements should embed this flexibility so that their scope for tenure changes to be agreed without the need for Section 106 Agreements to be amended.</p>	<p>The SPD says the following: 9.7-The local Plan refers to potential flexibility to change from shared ownership homes to 'intermediate rented' if market conditions change. Some RPs have experienced a downturn in demand for shared ownership in rural locations where there is a lot of shared ownership coming on to the market at the same time.</p> <p>9.8-The wording of new Section 106 Agreements should incorporate this flexibility so that there is scope for tenure changes to be agreed without the need for Section 106 Agreements to be amended</p>
<p>Rather than seeking the same approach, same mix provision in all locations, planning policy needs to give flexibility for site specific factors to be considered, and for this assessment to include consideration of both supply and demand factors.</p>	<p>The SPD does allow for flexibility</p>
<p>I would like to see the Council producing LNH Need Surveys in every parish, setting out the needs of the Borough and reviewing the position every 7 years (min)</p>	<p>The SPD says the following: 7.15-The Council will endeavour to ensure that Local Needs Housing Surveys are carried out by every Parish where the Local Parish Council supports this approach</p>

<p>On small sites the delivery to the required standards can be very difficult as the Register Housing Associations pay such a little sum for the finished product, this could be augmented by the inclusion of Open Market Housing, offsetting the very low figure paid by the HA.....carrying out a LNH Need Survey in every parish will determine where such allowances within the policy should be permitted, for example one parish may have a LNH need of say 25 units, which would not need open market housing support, another may only need 5 units, in which case open market housing would definitely enable the delivery.</p>	<p>The SPD says the following: 7.18-However, on rare occasions proposals may include an element of market housing to cross subsidise delivery. This may be to provide financial viability in order to deliver local needs homes and/or be a requirement of the landowner. Where market homes are suggested, the applicant will need to demonstrate to the satisfaction of the Council that a 100% affordable housing scheme has been fully considered and the reasons why it has been discounted.</p> <p>7.19-If the Council is satisfied that an element of cross subsidy is required to secure a local needs housing scheme, the amount of market housing will need to be at the minimum level required. It is envisaged that the amount of market housing should not exceed 30% of the total number of homes to be provided within the overall scheme or 3 homes, whichever is the lesser amount.</p> <p>7.20-A fully costed viability appraisal will need to be carried out to justify the inclusion of market housing for cross subsidy purposes.</p> <p>7.21-It is expected that any market homes provide for cross subsidy purposes will only comprise housing which is three bedrooms or less. Two- and three-bedroom homes are the primary size of new market homes required in the District, as evidenced in the SHMA. Executive style homes will not be permitted.</p> <p>7.22-Unless otherwise agreed by the Council, it is expected all of the market housing units will be sold to people with a local connection to the parish at first sale only.</p>
<p>RP's have generally been ok to work with over the past ten years. We are finding that they are being far more difficult over the past two years as the quantum of delivery to large national housebuilder sites is taking their focus much more than smaller schemes, additionally the RP's are offering lower prices for the finished product, particularly where the delivery numbers are low as they do not really want just four or five homes on a site that is not closely associated to their existing housing stock. I appreciate that this can be off-site to an off-site contribution although this is not always the right answer to the issue and the off-site</p>	<p>The SPD says the following: 11.11-In some cases, the Borough Council may take on the brokerage role itself or look at alternative delivery methods including providing the affordable units themselves. This could be in the form of a Housing Delivery Partnership (HDP) with a Registered Provider</p>

<p>contribution calculations as set out by the council are flawed.</p>	
<p>We send out the details and await the offers.....this is a major problem as the RP's do not have to take your stock &amp; they will only offer what they want to offer....when a PLC national housing builder has 150 affordable units coming online in a similar location to one of our small sites we are being royally shafted by the RP's....they do not want small numbers pepper potted on small sites, they want large areas of PLC sites where all of their product is in one location.</p>	<p>The SPD says the following: 11.9-In cases where developers are experiencing difficulties securing a housing partner, they will be required to provide a copy of their brief inviting offers from Registered Providers and the names of the Registered Providers invited to offer. Registered Providers who choose not to submit an offer in such cases will also be asked for their reasons, in order for the District Council to establish what obstacles may prevent a developer securing an affordable housing provider and to assist them in overcoming them.</p> <p>11.10-The initial consultation period revealed that many developers find it difficult to obtain realistic offers from RPs for smaller sites where the affordable housing requirement is less than 15 units.</p> <p>11.11-In some cases, the Borough Council may take on the brokerage role itself or look at alternative delivery methods including providing the affordable units themselves. This could be in the form of a Housing Delivery Partnership (HDP) with a Registered Provider.</p>
<p>RP's pay no land value at all, they pay the lowest price possible for the product and the inclusion of affordable on the site takes 20% off the sale price of open market homes and means that it will take you much longer to sell the open market homes.</p>	<p>These comments are noted - see above.</p>
<p>The whole affordable housing system needs a complete overhaul-RP's need to pay for the land, they need to pay the right price for the product, private business should not be losing money to provide housing stock to a trust that then makes money from it.</p>	<p>These comments are noted - see above.</p>

<p>Council Housing team need to engage with us – we are providing the houses they need but we are not considered as a party in the process.</p>	<p>Maidstone Council do not have an “approved list” of Registered Providers but the SPD lists those working in the Borough. The SPD says the following: 11.8-With both approaches the Borough Council will require the developer to have agreed a suitable affordable housing partner and to have entered into a contract with them to deliver the affordable housing units prior to work beginning on site, on any development or phase of a development. Early engagement with an RP is vital. An information summary has been provided in the SPD at Chapter 17. The Spd says the following: 16.2-It is the intention that an Enabling Fee (subject to annual review) will be incurred on each affordable housing unit delivered in Maidstone Borough Council area. These fees are designed to help with the provision of an affordable housing enabling service, assisting with the financial, legal, social, economic and environmental objectives required to secure and maximise affordable housing delivery and additional services. 16.11-These proposed enabling fees are designed to maximise affordable housing delivery in the Borough by assisting registered providers with support.</p>
<p>Delivery of S106 affordable dwellings. Several RP will not take small amount of units</p>	<p>The SPD says the following: 11.9-In cases where developers are experiencing difficulties securing a housing partner, they will be required to provide a copy of their brief inviting offers from Registered Providers and the names of the Registered Providers invited to offer. Registered Providers who choose not to submit an offer in such cases will also be asked for their reasons, in order for the District Council to establish what obstacles may prevent a developer securing an affordable housing provider and to assist them in overcoming them.</p> <p>11.10-The initial consultation period revealed that many developers find it difficult to obtain realistic offers from RPs for smaller sites where the affordable housing requirement is less than 15 units.</p> <p>11.11-In some cases, the Borough Council may take on the brokerage role itself or look at alternative delivery methods including providing the affordable units themselves. This could be in the form of a Housing Delivery Partnership (HDP) with a Registered Provider.</p>

<p>A number of RPs will not now look at S106 units that are below 15 dwellings. Offers that are made for the lower amount of units are sometimes not viable and as a developer you are forced to accept low offers only so you can get the development started and private units delivered</p>	<p>The SPD says the following: 11.9-In cases where developers are experiencing difficulties securing a housing partner, they will be required to provide a copy of their brief inviting offers from Registered Providers and the names of the Registered Providers invited to offer. Registered Providers who choose not to submit an offer in such cases will also be asked for their reasons, in order for the District Council to establish what obstacles may prevent a developer securing an affordable housing provider and to assist them in overcoming them.</p> <p>11.10-The initial consultation period revealed that many developers find it difficult to obtain realistic offers from RPs for smaller sites where the affordable housing requirement is less than 15 units.</p> <p>11.11-In some cases, the Borough Council may take on the brokerage role itself or look at alternative delivery methods including providing the affordable units themselves. This could be in the form of a Housing Delivery Partnership (HDP) with a Registered Provider.</p>
<p>If you need to get an RP on board you do what they want and say in fear that you may end up with private units you are unable to complete on</p>	<p>Noted - see above</p>
<p><b><u>Councillors also made comments on the draft SPD at a meeting on 3<sup>rd</sup> June 2019.</u></b></p>	
<p>Members' overriding message was for affordable housing to be truly affordable</p>	<p>The SPD has text explaining its limitations in the context of a difficult macro picture around the housing market and affordability</p>

<p>There was some concern regarding shared-ownership products. Particularly how the Council could ensure they remained as affordable housing in perpetuity. It was noted that the unit could be lost as affordable housing. (officers explained that although this could be the case, the finance for the affordable housing would be kept in perpetuity).</p>	<p>The SPD says the following: 8.26-It is possible, therefore, for shared ownership units to become fully owned open market units and the receipts used purely to offset the housing associations borrowings.</p> <p>8.27-Discounted homes for sale are defined as those available to buy at a discount from what would be their open market value, with the discount applied in a manner so that it remains applicable on future re-sales in perpetuity.</p> <p>8.28-It is the Council’s view that, along with the provision of social rented units discounted open market units are the product that would be particularly suited to helping local people get onto the housing ladder. Social rent levels are much more affordable than “affordable rent” and the level of discount applied to the discounted open market units can be adjusted to suit local salary levels.</p>
<p>Members were fairly positive about discounted market sale product in the SPD. Members also referred to co-operatives as something they could support. Members wanted this referred to in the definitions. Rent to buy is popular with the Leader.</p>	<p>The SPD is clear on its benefits and the reasons for its inclusion with particular regard to bringing AH forward (and the type of AH, where possible). AH would need to stay as AH though. The SPD says the following: 11.6-The Council supports the role that Housing Co-operatives can play in providing affordable housing. A housing co-op is a housing organisation which exists as a landlord, managed partly or fully by its tenants. Co-ops are one model of Community-Led Housing. Co-ops which allow people to control their homes and build a supportive community.</p>
<p>There was discussion around elderly people with large housing blocking it from coming forward for families.</p>	<p>This is not something the SPD is able to address.</p>
<p>There seemed to be general agreement that one of the issues was around deposits/lump sums and the barrier they created. Reference to help to buy could be expanded in the SPD. There was a lot of support for finding ways that the Council could help with deposits and asked us to look into this. Members also wanted us to look into reducing the £80k income threshold, to £60k, for example.</p>	<p>The SPD says the following: 8.19-The Council will explore options it may have in providing help to first time buyers with initial deposits. It also says the following: 8.18-It is the intention of the Council that in order to be eligible for a shared ownership home the annual household income of applicants should be less than £60,000 rather than £80,000</p>

<p>A theme that some Members felt quite strongly about was local affordable housing for local people. This seemed to manifest itself in a couple of ways – 1. If there is a product that would be particularly suited to helping local people get onto the housing ladder, then this should be promoted and 2. Can we support exception sites coming forward in the SPD itself</p>	<p>The SPD says the following: 1.7-There is a shortage of affordable housing in the Borough and the Council is under significant pressure to deliver new housing to meet objectively assessed needs.</p> <p>1.8-As such the SPD is intended to maximise delivery of truly affordable homes in the borough.</p> <p>1.9-It should be noted that this intention will have its limitations in the context of a difficult macro picture around the housing market and affordability.</p> <p>1.10-This SPD will look to address this through the encouragement of the inclusion of social rent and discounted open market units. Social rents are set at more affordable rates than “affordable rent” and discounted market sale can include larger discounts than normal making them more affordable than shared ownership products.</p> <p>4.16-The Council is happy to consider the development of Entry Level Exceptions Sites in suitable locations, particularly where these will provide for Local Key Workers</p>
<p>There was a lot of debate around space standards. Ultimately, Members were keen to bring in minimum space standards but want this done in a co-ordinated way and through the Local Plan Review, rather than the SPD itself.</p>	<p>The SPD says the following: 10.2-The ideal occupancy requirements and minimum floor areas for each affordable unit type are set out in the table below and it should be noted that affordable units are likely to be fully occupied. The Council are investigating the potential for minimum space standards to be adopted in the Local Plan review.</p>
	<p>Where possible, due to constraints placed upon the SPD from National and Local Planning Policy, the above comments have been taken into account and are reflected in the draft SPD.</p>

## 6-WEEK PUBLIC CONSULTATION ON THE ALNH SPD

1.3 As part of the 6-week public consultation, the Council consulted everyone on its database, consisting of 4,567 entries, including housing associations, developers, other stakeholders and the public.

1.4 We received 20 responses, including from housing associations and developers and other stakeholders. The below summarises the various responses to the consultation and illustrates how modifications have been made.

<b><u>Comment from consultee</u></b>	<b><u>How the issues raised have been addressed in the SPD</u></b>
-	-
Undertake the review of Affordable Housing Policy through the Local Plan review, and not through this SPD.	The SPD reflects the Local Plan and does not attempt to introduce new policy.
Social Rented tenure cannot be delivered as drafted. This is a national issue and cannot be brought in via an SPD. Consider site by site the delivery of Social Rented tenure.	The Local Plan already assumes provision of social rent. The SPD is purely giving guidance on how this can be achieved. Policy SP 20 says the following: The indicative targets for tenure are: i. 70% affordable rented housing, social rented housing or a mixture of the two; and ii. 30% intermediate affordable housing (shared ownership and/or intermediate rent).
Consideration to a sliding scale of affordable delivery where Social Rented is required which gives a reduction to the overall amount of affordable provision	This is already addressed in the SPD 8.13 says the following: “The Council will be flexible regarding the total percentage of affordable housing and / or tenure split if this results in the provision of social rent on site. This would be on the basis that it would be “cost neutral” in terms of the overall viability to developers.”
It is considered that needs based on geography and location are taken into account as it is not often appropriate for example to locate Social Rented units in remote locations in the Borough.	This is addressed at paragraph 7.12 of the SPD and Policy DM 13 of the adopted Local Plan - Affordable local needs housing on rural exception sites.
Be flexible to allow single tenure affordable housing on small sites.	One of the main aims of the SPD is to demonstrate that the Council are willing to be flexible to ensure that the maximum amount of affordable housing is delivered on-site.

<p>Introduce more flexibility to the affordable housing mix and consider on a site by site basis. Update the SHMA.</p>	<p>The SPD is clear that the housing mix will take into account the SHMA but that developers should engage with the council's Housing department, Planning department and with registered providers at the earliest stage of the application process. Paragraph 16.4 has now been amended to say the following: The mix of open market units and affordable units provided on site should, where possible, comply with the mix outlined in the SHMA (January 2014). The SHMA will be updated in due course. Paragraph 10.1 says that the characteristics of a site and the development as a whole should be reflected in the affordable housing mix - dwelling tenure, type and size. The tenure, type and size split on each site can be advised through pre-application discussions but <b>should</b> be in accordance with the SHMA and <b>factoring requirements of need contained on the housing register at that time</b>. The SHMA (January 2014) goes on to say that although we have quantified this on the basis of the market modelling and our understanding of the current housing market we do not strongly believe that such prescriptive figures should be included in the plan making process and that the 'market' is to some degree a better judge of what is the most appropriate profile of homes to deliver at any point in time. The figures can however be used as a monitoring tool to ensure that future delivery is not unbalanced when compared with the likely requirements as driven by demographic change in the area.</p>
<p>Remove the mix requirement for market housing</p>	<p>Paragraph 16.4 has now been amended to say the following: The mix of open market units and affordable units provided on site should, where possible, comply with the mix outlined in the SHMA (January 2014)</p>
<p>Include adopting the space standards in the review to the Local Plan and not through the SPD.</p>	<p>Paragraph 10.11 of the SPD now says - With regard to D.C.L.G. Nationally Described Space Standards the Council are keen to incorporate these for all tenure types, but this will be done in a co-ordinated way through the Local Plan Review rather than as part of this SPD.</p>

<p>The table excludes 2 bed 3 person and 3 bed 4 person homes which we consider is inappropriate</p>	<p>The SPD is flexible in that it says that the Council will normally only accept 2 bed 4-person units 3 bed 5/6-person units and 4 bed 6/7/8-person units. This item in the SPD was a result of earlier consultation where RPs commented that “We believe there is a particular challenge with 2 bed-3 person homes for affordable rent – it is the new bedsit problem of the future in our opinion. Paragraph 10.3 has now been amended to say that the Council will <b>normally</b> only accept 2 bed 4-person units 3 bed 5/6-person units and 4 bed 6/7/8-person units where the tenure is for rent and paragraph 10.4 has been amended to say that 2 bed 3-person or 3 bed 4-person units for rent will not <b>normally</b> be accepted. the table at paragraph 10.2 has now been removed and the amended text now says that The Council are investigating the potential for minimum space standards to be adopted in the Local Plan review</p>
<p>Consider the wheelchair and accessibility requirements on the suitability of the site and need and not as a blanket requirement</p>	<p>This is not a blanket requirement. The SPD says at paragraph 10.12 that <b>where appropriate</b>, development will be required to meet and maintain high standards of accessibility so all users can use them safely and easily. Account should also be taken of any requirements for the provision of wheelchair user dwellings, <b>dependant on the suitability of the site and the need at the time</b></p>
<p>Do not require the shared units to need to provide M4(2) compliance</p>	<p>The SPD says that there is an <b>expectation not a requirement</b> that all affordable units will be built in accordance with Part M4(2).</p>
<p>Remove reference to a specific cluster number, let each site be considered on its own merits and controlled through the design and other affordable housing policies.</p>	<p>The SPD has been amended to reflect this.</p>
<p>Section 14 to include criteria for off-site payment for the affordable provision on schemes of under 50 units.</p>	<p>The SPD section on viability conforms with the Local Plan and the NPPF and PPG. Paragraphs 11.9 to 11.12 the SPD also addresses this concern.</p>

Further work on the OMV to reflect the Borough along with further discussions with the RP's.	Paragraph 13.7 now says that - <b>It should be noted that the actual transfer values will vary on a site by site basis</b>
Extend paragraph 15.20 to include sites purchased based on Local Plan requirements and not SPD.	Paragraph 15.20 is clear and does not need to be amended
Remove the proposed enabling fee and any reference to it.	This has now been removed
The SPD states at page 43 (point 1) that the first assumption is the development should be policy compliant. It is unclear what policy this is in reference too. Is it this SPD or is it the Local Plan?	This has now been amended to say - 16.1 - The first assumption should be that the development will aim to be policy compliant with the Local Plan.
The Council needs to have strong evidence showing the degree of need for social rent before it adopts a policy that is in conflict with NPPF	It is not setting new policy – it says the following at paragraph 8.3 The Council's preference is for social rent and this will be the initial assumed tenure for the rented units. However, it is accepted that the delivery of social rent has been difficult and that the most common rented tenure being delivered is affordable rent. It should also be noted that the Economic Viability Report used to support the Local Plan assumed a tenure split of 70% affordable rent / 30% intermediate and did not include any social rent. The Local Plan already assumes provision of social rent. The SPD is purely giving guidance on how this can be achieved. Policy SP 20 says the following: The indicative targets for tenure are: i. 70% affordable rented housing, social rented housing or a mixture of the two; and ii. 30% intermediate affordable housing (shared ownership and/or intermediate rent).

<p>Para 7.21 - Here the council is seeking to control/guide the sizes of market homes. This is wrong, developers know the market place better than the council and always seek to provide the right product in the right places.</p>	<p>paragraph 7.21 says - It is expected that any market homes provide for cross subsidy purposes will only comprise housing which is three bedrooms or less. Two- and three-bedroom homes are the primary size of new market homes required in the District, as evidenced in the SHMA. Executive style homes will not be permitted. The market homes should meet the identified needs of the rural location through a local Housing Needs Survey. This will identify not only the affordable housing needs but also the market housing needs for local people. Policy DM 13 item 1 says the following: Development has been proven necessary by a local needs housing survey approved by the council which has been undertaken by or on behalf of the parish council(s) concerned. In consultation with the parish council and registered provider of social housing, the council will determine the number, size, type and tenure of homes to be developed after assessing the results of the survey. The council will also use the housing register to determine where there may be unmet housing needs.</p>
<p>Para 7.22 - Controlling the first sale of a market home supporting rural housing need is wrong and cannot be controlled in such a way. This will completely undermine the benefit of market homes to support rural exception sites and will prevent small developers from gaining funding to deliver such sites</p>	<p>The whole point of rural exception sites is that they are purely to meet local housing need. This includes the market housing on the site.</p>
<p>Para 8.18 - Controlling the earnings cap &amp; reducing the cap from £80k/annum to £60k per annum. Young people are already up against it and to reduce the earnings cap by 25% is cruel, unfair and unnecessary. If the council really wants to help young people get on the property ladder this cap must remain at £80k/annum</p>	<p>This has now been amended in the SPD and is set at £80,000.</p>

<p>Para 9.1 - This policy wording is not attainable and is out of the control of the developer. The RP's do not want their homes to be 'good quality' they want materials and finishes to be cheap and simple due to perceived long-term management costs. Therefore, an affordable home will never appear to be as good as an Open Market Home, no matter what the developer does to try and specify such standards. As we see constantly in the planning system, RP's dumb-down previously approved schemes in order to use the cheap external finishes that they want. Therefore, this policy wording is undeliverable</p>	<p>Paragraph 9.1 has been amended to say - 9.1 - Affordable Housing should be integrated within a development and should, be as far as possible be indistinguishable from the market housing.</p>
<p>Para 10.8 - Control over the number of affordable homes in one cluster - this is a poor piece of planning policy drafting. I fully agree with the sentiment to pepper pot affordable housing into open market housing schemes, however to actually determine that 10 is the cap on a cluster of affordable homes is completely wrong and must be removed from the document. On large housing sites a cluster of more than 10 is wholly acceptable and this must be reflected in a more flexible policy wording.</p>	<p>This has been amended to say - Affordable housing provided on-site must be designed to a high standard and, as far as possible, fully integrated into the overall scheme layout, rather than concentrated in just one location</p>
<p>Para 10.10 - This is not attainable for the same reasons as cited above - The RP's will not pay for standards/specifications that are anywhere near to the level of open market housing and always seek to dumb-down the external appearance of a home to cheap materials and detailing.</p>	<p>This has been amended to say - Affordable housing units should, as far as possible, aim to be 'tenure blind' so that affordable and private homes are virtually indistinguishable from one another in terms of design quality, appearance, materials and site location. This will help to avoid visual separation between private and affordable housing</p>
<p>The table on Page 28 is meaningless unless you also set out a table of minimum room sizes. Given the reference to M4 of the building regulations and need to comply with such regs there is no need for this table at all in this document.</p>	<p>The table on page 28 has been removed</p>
<p>Para 11.10 - This statement is incorrect - The small developers cannot find any RP that will take less than 20 units on a single site as has been demonstrated by many of us over the past four years. The benchmark figure here should be 20 units not 15</p>	<p>this has been changed to 20 units</p>

<p>11.14 The policy wording here using '10 units' as a benchmark is wrong and should be given greater flexibility</p>	<p>This has been changed to say - The Council are seeking to restrict developers to provide the affordable flatted housing units in small clusters, around the development. On high density flatted schemes, it may be agreed by the Borough Council to allow blocks containing more affordable housing units, provided that the design does not seek to concentrate the affordable housing into flats at the expense of integration</p>
<p>Para 11.16 &amp; 11.17 - This policy wording is extremely unfair and should not form part of any planning policy in the borough. The developer is already providing affordable housing at nil profit, in some cases the developer is subsidising the cost of delivering affordable homes. For MBC to now try and control the delivery timing of affordable homes against market housing delivery is morally wrong. In many situations the delivery of affordable housing is governed by design or by the timing of Transfer Values from the RP, to try and control the sale of market homes and effectively control the finances of the developers private business cannot be allowed</p>	<p>The wording in these paragraphs is not unfair - it is there to ensure that the affordable housing is delivered.</p>
<p>Para 12.1 - Planning Policy SP20 is flawed in regard to C3 retirement homes. Retirement schemes are generally to sites of 20 units or less and in such cases the number of affordable units that is derived under current policy means that a developer is trying to find an RP that will take 2 to 4 homes</p>	<p>This is a Local Plan policy that has been adopted.</p>
<p>Para 13.6 - The sales rate of £350/sqft is not attainable in many parts of the borough and is a flawed figure. It is attainable in the more affluent areas. In the interests of fairness the council needs to identify a base rate for each parish rather than use such an inflated figure across the whole borough</p>	<p>This paragraph has been changed to now say - Based on a purely arbitrary open market value of say £300 per ft2 the following table shows transfer values for typical shared ownership units</p>

<p>Para 14.11 - The method outlined by the policy wording is significantly flawed. The method outlined would take from the developer 100% of the open market land value and 100% of the developers profit on the open market unit. This is unfair and does not meet with the guidance of the RICS. The method represents profiteering on behalf of the council and does not follow the previous, very fair, method which sought a sum equal to the cost of delivering the same units on-site. The transfer value to an RP represents the developers build cost and a small sum for the land. In most cases the developers are spending more on the delivery of the affordable housing than they get back in the transfer sum as the transfer sum does not take into account any of the site infrastructure, land cost, developers profit or costs to attain planning. Therefore, the suggested model of taking 100% of the revenue from an open market home, less the transfer value is profiteering and does not represent the actual scenario. This is a significant point that need urgent attention.</p>	<p>The rational behind this is explained in the SPD at paragraphs 14.2 and 14.3 - Many Council's make allowances in their financial contribution for the difference in profit levels between providing open market units on site and affordable housing on site. This has the effect of reducing the overall financial contribution. However, this difference in profit is offset by the extra revenue potentially received by the developer given that the site is now 100% open market and also accounts for the extra costs involved for both the Council and RPs in finding alternative sites and schemes for the off-site contribution.</p>
<p>Para 15.5 The commentary here is flawed and does not represent the real situation. Rural exception sites are always small sites, generally less than 1 acre in size and generally located near to existing homes/facilities in low hierarchy villages. Therefore, the existing use value of these sites is way higher than the general agricultural land values that the council has identified. Yes when buying 100 acres of agricultural land in Kent you might only pay £6,000 to £15,000 per acre however if a 1 acre parcel of land comes up for sale in a low hierarchy village it is likely to sell for anywhere between £60,000 and £100,000. The abilities for rural exception site to compete with these land values is very low.</p>	<p>Rural exception sites are on sites that would not normally obtain planning permission for open market housing. If because the site is located next to an existing village the landowner thinks that he may obtain planning permission in the future then that it is for him to make the decision whether to release it for a rural <b>exception</b> site or not. Rural exception sites are an exception to normal planning policy and the land value must represent the existing use value of the land and not include any "hope value". If the site is too expensive because of its existing use, then alternative sites should be sought.</p>
<p>Para 15.7 is totally flawed - in line with comments above - this should be removed from the document.</p>	<p>the wording has been slightly amended to say the following - On rural exception sites typically £10,000 to £15,000 per plot for the base land cost or no more than ten times the agricultural land value at the time, whichever is lower (including site abnormalities) will be accepted as a benchmark land value. See also the comments above.</p>
<p>Enabling fees should be removed</p>	<p>This has now been removed</p>

The Council and its officers can easily assess the acceptable reduction in Affordable Housing numbers to any particular site, in exchange for a priority to the Social Rent Tenure Type, so as to create parity between a policy compliant Affordable Housing Mix of 70% Affordable Rent and 30% Shared Ownership versus any variation that includes the Social Rent Tenure Type.	this has to be done on a site by site basis. It is not possible to apply this to all sites equally as there will be variation in affordable housing values and open market values across the Borough.
SME Developers can be assured of attaining the same Transfer Values as larger Development Companies who currently benefit from improved terms from Registered Providers than SME Developers can attain	The Council cannot insist upon the price that RPs pay for affordable units on S106 sites. Each RP will have their own methodology for calculating the transfer value of a particular affordable unit.
The Council should unilaterally carrying out a Local Needs Housing Survey to every parish outside of the eleven upper hierarchy settlements, thereby establishing the future needs of these parishes and providing some prospect of such needs being provided within the Plan Period	The SPD says the following - The Council will endeavour to ensure that Local Needs Housing Surveys are carried out by every Parish where the Local Parish Council supports this approach
The Council should avoid, as far as is practicable, the need for any Viability Assessment by setting out clear and concise parameters through the use of Index Linked Transfer Values.	The Council cannot insist upon the price that RPs pay for affordable units on S106 sites. Each RP will have their own methodology for calculating the transfer value of a particular affordable unit.
The Council should provide clarity on its policies for Discounted Homes and the percentages that would be allowed on any one development site as part of the Affordable Housing provision.	The SPD gives adequate flexibility for developers as currently worded.
Introduce wording that states that a 'developer must have entered into a contract with a Registered Provider to deliver Affordable Homes before any Market Homes are occupied'	The wording currently in the SPD is considered to be a reasonable approach to this issue.
Remove reliance on Viability Assessments as such processes significantly delay housing delivery and significantly increases the cost of delivery to the developer and to the council.	This is clearly not an option as viability has to be taken into account as per the NPPF and NPPG.

<p>The role of the SPD should therefore seek to provide guidance on existing planning policy contained in the adopted Development Plan. It is important to note that this does not present an opportunity to reinvent the existing planning policies contained in the Local Plan. Gladman note that the draft SPD refers to policies in Maidstone Borough Local Plan (specifically policies SP9 and SP20). Whilst the Local Plan was adopted in 2017, the Local Plan Review has recently undergone Issues and Options consultation. Therefore, it is key that this SPD is updated and reflects any changes made to these policies throughout the Review's preparation and examination process.</p>	<p>Noted</p>
<p>I am pleased to see that developers are being held responsible for supplying the required affordable housing.</p>	<p>Noted</p>
<p>South East Water appreciates the nature of this document and would like to suggest that a link to your adopted water efficiency policy set out on the adopted Local Plan could also be part of this document. It would be good to keep the focus on your water efficiency policy and this would be a good opportunity to also remind it to your stakeholders.</p>	<p>This has now been included at paragraph 16.2</p>
<p>The problem is not a lack of affordable housing. The problem is the affordable housing is being provided by London borough councils to their tenants! We should not be allowing London to solve its housing crisis by buying up property for development for the intention of housing out of county tenants. The local infrastructure is already at breaking point. The pollution . Levels in maidstone are at an all time high yet more and more development is happening in Maidstone without any consideration for current residents. Hermitage Lane is a prime example of over development from a bordering council impacting on the local services too</p>	<p>Noted</p>
<p>Sutton Valence Parish Council believe that this is a well thought out production that covers all types of housing needs. The Parish Council has experience of an exception site - Haven Close. The rental costs in Sutton Valence are very high, therefore rural housing rental costs are high. An exception site should have the rents capped at an affordable level and not just a percentage reduction on the private rental costs.</p>	<p>the SPD allows the flexibility to deliver rural exception sites at truly affordable rents</p>

<p>The requirement figures for tenures should have been provided for in the adopted Local Plan (2017) and should not be deviated from within in the draft ALNH SPD as stipulated in the NPG (2018) and detailed above. The assertion in Section 5 is a subtle one, but a theme developed throughout the draft ALNH SPD is that the emphasis is shifted from the delivery of affordable housing to social rented houses. The provisions of Policy SP20 are clear in this regard and the draft ALNH SPD should reflect this Policy provision and not seek through the 'back door' to change the Policy emphasis.</p>	<p>The Local Plan already assumes provision of social rent. The SPD is purely giving guidance on how this can be achieved. Policy SP 20 says the following: The indicative targets for tenure are: i. 70% affordable rented housing, social rented housing or a mixture of the two; and ii. 30% intermediate affordable housing (shared ownership and/or intermediate rent). 8.13 says the following: "The Council will be flexible regarding the total percentage of affordable housing and / or tenure split if this results in the provision of social rent on site. This would be on the basis that it would be "cost neutral" in terms of the overall viability to developers."</p>
<p>As an initial point, paragraph 6.2 of the draft ALNH SPD should not be seeking to establish policy in addition to that set out in Policy SP19. This is a point of concern in principal. If details of mix requirements are to be identified, this should be done through the emerging Local Plan process, not an SPD</p>	<p>The SPD does make it clear that the SHMA (January 2014) goes on to say that although we have quantified this on the basis of the market modelling and our understanding of the current housing market we do not strongly believe that such prescriptive figures should be included in the plan making process and that the 'market' is to some degree a better judge of what is the most appropriate profile of homes to deliver at any point in time. The figures can however be used as a monitoring tool to ensure that future delivery is not unbalanced when compared with the likely requirements as driven by demographic change in the area.</p>
<p>We are unclear as to why Help-to-Buy is referenced at paragraphs 8.40 – 8.42 as it is not an affordable housing tenure.</p>	<p>This is for information only</p>
<p>The draft ALNH SPD lacks a robust evidence base and introduces matters of viability testing that appear poorly justified and explained</p>	<p>The viability at section 15 is fully compliant with the NPPG and current best practice.</p>