

UPDATED SUPPLEMENTARY PLANNING GUIDANCE ON THE PROVISION OF AFFORDABLE HOUSING

**Joint Report By: the Forward Planning Manager and the Head
of Strategic Housing Services**

Wards Affected

Countywide

Purpose

To inform members of the consultation process undertaken on the updated Supplementary Planning Guidance.

Background

The Provision of Affordable Housing Supplementary Planning Guidance (SPG) was approved in 2001. On July 16th 2004 Planning Committee recommended that the cabinet member approve an update to the SPG for consultation purposes. Cabinet Member approval was given on 21st July 2004. The SPG relates to the policies contained within the Council's development plans and currently uses data from the Housing Need Study of 1999. It has been used to assist in delivering affordable housing throughout the County. An update of the document is required to reflect the 2001 housing needs study and changes in key data relating to the housing market and affordability.

The consultation process has now been completed and the updated SPG accompanies the report. The changes to the July version of the document are highlighted through ~~striketrough~~ and underlining.

This report recommends that following consideration by this Committee, the Cabinet Member (Environment) be requested to agree the updated SPG.

It should be noted that the ODPM have advised that with the commencement of the Planning and Compulsory Purchase Act 2004 it is not appropriate to adopt new SPG. However this work only updates an existing SPG in respect of new information and does not constitute the preparation of a new SPG.

Aims

The aim of the SPG is to:

- Improve the delivery and maximise the opportunities available for the provision of affordable housing to meet the County's housing needs
- Reduce uncertainty and ensure a consistent approach and provide clear guidance for developers to follow
- Provide additional guidance on the interpretation of existing plan policies contained in the current Local Plans.

Consultation Comments

The SPG consultation period lasted from July to September 2004 with 30 organisations invited to comment. Nine organisations responded and these are summarised in Appendix 1 of this report. In addition a number of small amendments to the SPG have resulted from internal comments. The main themes resulting from the consultation and main changes proposed as a result are summarised below.

1. Supporting comments were received to the general approach adopted and the associated aims. The close integration of the development plans and the housing strategy was also supported.
2. Changes were sought in respect of details coming out of the Housing Bill and Barker Report both of which include mechanisms for developers to receive SHG directly enabling developers to build affordable housing without the use of an RSL. However, both these documents do not, as yet, constitute government policy and it is therefore recommended that these details are not included in this SPG.
3. An amendment has been recommended indicating that the guidance will be updated regularly to reflect changing circumstances.
4. Some commentators consider that the SPG is not in line with PPG12 or Circular 6/98, however, the document is consistent with national policy. The document provides an update of the previous (2001) version which has been used successfully in the negotiation of affordable housing.
5. There is some concern that the definition of affordable housing does not correspond with the adopted local plans. The SPG attempts to bring consistency across the five adopted development plans which are operational in the County and the definition in the SPG tries to achieve this. The definition used is regionally recognised and it does not, in itself, constitute policy.
6. Developers have criticised the Council's Housing Needs Study as not being a robust assessment. Due to the nature of need studies it is always possible to find flaws in assessments, however, it is considered that the Council's study provides the best available information and continues to provide an appropriate basis for the assessment of affordable housing requirements in the County.
7. The SPG has been amended to make it clear that the Council has a statutory duty to provide information to developers on housing need through out the County. However, in the case of exception sites the developer will be required to produce evidence of need to support applications.
8. There has been some concern about the use of Scheme Development Standards being applied and resulting in affordable housing appearing different to market housing within any scheme. However, the SPG only encourages this and does specify that as a minimum the standards of the market housing should be met.

9. In respect of pepper potting developers are concerned that the Council has no related planning policy and that it is not a land use issue. However, in response the SPG, in referring to the issue, is encouraging well integrated, balanced communities.
10. It is suggested that the SPG is changed to specify that it will be the Council's responsibility to monitor the execution of planning obligations and to return unspent monies where appropriate to the developer including interest any accumulated interest.
11. Some commentators indicate that the Council should not prescribe RSL partners. However the list provides helpful information on RSL's who are active in the area and have experience of managing stock in rural areas. Appendix 1 has been amended to make the preferred nature of the list clear.
12. Appendix 5 has been amended to make it clear that the brief is trying to provide helpful information to potential developers and constitutes a starting point for negotiation.

RECOMMENDATION

IT be recommended to the Cabinet Member (Environment) that the updated document, including the suggested amendments be adopted and published as an updated version of the existing Supplementary Planning Guidance

Background papers

Provision of Affordable Housing SPG 2001
Housing Needs Studies 1999 and 2001

Appendix 1: SPG Consultation comments

ORGANISATION	COMMENT SUMMARY	RESPONSE
Countryside Agency	Welcomes the guidance on this issue and supports the direction and content of the SPG. Specifically welcomes the recognition that local housing needs should be the key determinant in the location of future affordable housing and the aim to keep this affordable housing in perpetuity.	Noted.
Introduction		
Taylor Woodrow	Seeks inclusion of words from PPG12 that an SPG must relate to existing policy and that it cannot make or amend policy and this should be made clear throughout the SPG.	The first sentence of the SPG refers to PPG 12 and is clear that the SPG has been prepared in the context of the five adopted development plans and that it will be reviewed once the UDP has been adopted. Recommend no change.
Taylor Woodrow	Aspects of this SPG have not been produced in accordance with Government Guidance as it fails many aspects of C6/98 and C1/97. Therefore remove from statement.	It is considered that the document is consistent with the advice in Circular 6/98. Recommend no change.
Taylor Woodrow RPS	The Council have failed to mention that affordable housing can now be delivered through a developer and private funders which is fully supported by the Barker Report and also the new Housing Bill which will enable developers to receive SHG. This is also supported in C6/98 para 33ac.	The Barker Report and the Housing Bill do not, as yet, constitute government policy. A future review of the SPG will need to address this issue. However, the SPG does provide examples of the bodies involved in the provision of affordable housing and this list makes reference to developers and lending institutions. Recommend no change
Taylor Woodrow	The SPG should be in line with adopted policy. Therefore it should be said that this review of the SPG is premature as the revised UDP has not been formally adopted.	It is clear that the SPG relates to the adopted development plans and that a review of the SPG will take place when the UDP is adopted. The review is being undertaken to update the SPG in light of more recent information on housing need and affordability data and in terms of the day to day experiences of applying the SPG in practice. Recommend no change
Aims of the SPG		
Tetlow King	Support the aim to improve the delivery and maximise the opportunities available for the provision of affordable housing to meet the County's housing needs.	Support noted.

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ORGANISATION	COMMENT SUMMARY	RESPONSE
Taylor Woodrow RPS	Section 1.2 should include a reference that affordable housing will be negotiated with developers in line with C6/98.	Noted and agreed Recommend a change be made in respect of this comment
Scope and Status of the SPG		
Tetlow King	Support scope and status of this guidance, however, recommend that the SPG should be reviewed regularly to reflect changing circumstances within the authority area.	Noted and agreed Recommend a change be made in respect of this comment
Taylor Woodrow	Section 1.3 states that the guidance will be taken into account as a material planning consideration. However, the SPG will only carry weight in front of the Planning Inspector if it abides by PPG 12. It does not so this statement should be removed.	The Council considers that this SPG is in accordance with the guidance included within PPG12 and therefore does not constitute a material planning consideration. Recommend no change
Definition of Affordable Housing		
Tetlow King	There is no mention of key workers. This is relevant to the definition of affordable housing. It also needs to be made clearer in accordance with para1 of C6/98 that the provision of affordable housing is a material planning consideration and recognised as a planning gain in itself.	It is not felt appropriate to single out specific groups of workers because the guidance already specifies this under the local need criteria (2.2. bii and biv). Recommend no change It is proposed that the text be altered to reflect that the provision of affordable housing is a material planning consideration and recognised as a planning gain in itself. Recommend a change be made in respect of this comment.
Taylor Woodrow	The definition in the SPG does not correspond with the definition in the current Local Plans. Therefore the definition is not adopted policy and should be removed.	The definition contained in the brief provides a consistent County-wide approach. The definition is regionally recognised, and does not conflict with any of the development plans Recommend no change
Taylor Woodrow RPS	C6/98 does not require affordable housing to be available in perpetuity. This needs to be redrafted. See St Albans V Laings planning appeal. Which accepted that 20 years represented perpetuity. This point also refers to Section 6.1.1 para 8 and Section 6.1.2.2 .	In para 16 of Circ 6/98, reference is made in the phrase "either initially or in perpetuity;" to the occupancy of affordable housing. In the Council's view there is a long term need to retain affordable housing for the use of future generations based on the analysis of the economic circumstances pertaining in the County. Recommend no change

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Assumptions on Local Affordability		
Tetlow King	It is inappropriate for this SPG to refer to average annual incomes, house prices and rents as these are constantly changing variables, these will alter in the future and result in misleading and out of date information.	The guidance allows for the updating of figures annually Recommend no change.
Taylor Woodrow /RPS	The assumptions used are based on averages and an assumed deposit level which is overly restrictive and imposing a rigid formula which is contrary to C1/97 para B16. This section needs to be redrafted to accommodate different circumstances and be in line with C1/97. This point also refers to Section 6.1.1 para 8.	C1/97 B16 makes reference to development plan policy. In supplementing existing policies the SPG usefully provides a range of indicative figures to give a guide to developers reflecting what an affordable price in Herefordshire would be. Recommend no change
George Wimpy	The affordability formula in clauses 2.3.2 and 2.3.3 will be based on last years incomes. An uplift of the anticipated rise in incomes should be incorporated. For most developments this will be a two year uplift.	The % uplift is likely to be in low single figures based on recent trends and would therefore result only in a marginal change. Recommend no change.
Gloucestershire Housing Association	2.3.5 - Requests inclusion of wording saying that the Council expect rents not to exceed the 'target rent'. This would produce a level playing field for the RSL's and ensure that the rents are affordable.	Noted and agreed Recommend a change be made in respect of this comment
George Wimpy	It is wrong to set gross earnings thresholds for shared ownership accommodation (clause 2.3.5). If qualifying purchases cannot afford to buy the shared ownership units then the housing association will be left with empty shared ownership stock. Shared ownership should be for people who can afford to pay a little more than affordable rented accommodation and aspire to own their own property.	The thresholds are suggested to ensure that households can afford to maintain their homes therefore promoting sustainability, reducing homelessness by taking a pro active approach. Based on recent trends 30% is the average spent on housing costs across this tenure. Recommend no change.
Marches Housing Association	Concerned at the formulaic approach to defining affordable housing particularly in relation to shared equity. The type of applicant for a shared equity property may have above average income even though this may still be insufficient for them to buy on the open market.	The thresholds are suggested to ensure that households can afford to maintain their homes therefore promoting sustainability, reducing homelessness by taking a pro active approach. Based on recent trends 30% is the average spent on housing costs. Recommend no change
George Wimpy	Rented and shared ownership accommodation is referred to as Subsidised Housing (clause 2.3.5). As social housing grant is not available for affordable housing procured by planning gain it is only	Noted and agreed change to text/heading could clarify this issue. Recommend a change be made in respect of this comment

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	subsidised by the developer in the same way as the low cost market housing. It is therefore misleading to call rented and shared ownership accommodation 'subsidised housing' because it is not subsidised by public subsidy.	comment
Legislative and Policy Background for the Provision of Affordable Housing		
Tetlow King	Full integration between the Local Plan, the housing strategy and the SPG is essential.	Support noted.
Strategic Housing Services for the Provision of Affordable Housing		
Tetlow King	Welcomes the reference to Housing Need Surveys, however, the Council needs to commit itself to ongoing assessment within the framework of plan, monitor and manage.	The council is committed to a rolling programme of housing needs surveys which are used to update estimates of need across the county. Recommend no change
Taylor Woodrow	Section 3.9 para 2 does not recognise that developers and private funders are eligible to bid for SHG and develop affordable housing. This needs to be amended.	This is a factual statement providing a description of the Social Housing Agreement that has been approved in Herefordshire. Recommend no change.
Herefordshire Housing Needs Studies		
Tetlow King	Welcomes the reference to Housing Need Surveys, however, strongly recommend that a review is undertaken and the information updated to accurately reflect the current housing need requirements within Herefordshire.	The Council is committed to a rolling programme of housing needs surveys which are used to update estimates of need across the county. Recommend no change
Taylor Woodrow RPS	The HNS undertaken in 2001 is not robust as it fails the ODPM Good Practice Guide. C6/98 para 6 requires a Council to have a robust and rigorous assessment. Herefordshire Council do not have this and should therefore not be seeking affordable housing.	No evidence is provided in terms of how the Housing Needs Study fails the ODPM report. The Council considers the Housing Needs Study to be the best available information and adequate to assess affordable housing needs in the County. Recommend no change
RPS	Object to the rolling programme of needs studies mentioned at para 4.1 as the method to ensure housing needs data remains up to date and reflect the housing situation in Herefordshire. C6/98 advocates the use of assessments which involve the analysis of demand and supply factors and not only perceived demand as derived from surveys.	The housing needs survey reports do include reference to demand as evidenced by the Choice Based Lettings data. Recommend no change.

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Marches Housing Association	It is important that affordable housing is sustainable. Identifying need is important however, the local authority may find itself in a position in which a planning application is made that might generate 1 or 2 affordable homes in rural parishes and a needs survey may be overkill.	The local authority has a statutory duty to assess housing need within its district and target resources appropriate to meet identified housing need. Resources will be targeted to high demand areas and where development is sustainable. The Council will produce a development programme to guide housing providers. Local housing needs assessments are required to justify development on rural exception sites even for very small developments. Recommend no change.
Countryside Agency	The explanation of the identification of housing need does not include a breakdown of the methodology used for the Housing Needs Study. The Agency recommends that Housing Needs Assessments should be based on 100% coverage of smaller rural settlements, rather than an indicative approach. It would improve the clarity of the Housing Needs Assessment undertaken if the methodology of the approach used, could be explained.	This SPG is already a long document and inclusion of the housing need information as identified would lead to it becoming even longer. All the information is clearly laid out within the Housing Need Assessments. The Council considers the Housing Needs Study to be the best available information and adequate to assess affordable housing needs in the County. Recommend no change
Opportunities for the Provision of Affordable Housing		
Tetlow King	Para 5.1 More support should be given to RSL's developing affordable housing themselves, rather than assuming that all such housing will be delivered through developer contributions. There is no mention of the reuse of existing buildings for affordable housing.	The reuse of existing dwellings will be considered as part of the overall development proposal and will be taken into account when seeking affordable housing. 5.1 para 3 also acknowledges the role that RSLs have to develop affordable housing other than through planning gain. Recommend no change.
Tetlow King	Para 5.2 It is considered that whilst the negotiation of affordable housing should not be only be directed to identified settlements, but negotiated on all appropriate settlements. There is insufficient reference to the information developers will be expected to provide to demonstrate the abnormal site costs for particular proposals and the Councils procedures for analysing such information.	The SPG is required to supplement existing Plan policy. The Local Plans direct development to identified settlements and therefore the SPG should be consistent with them. Recommend no change.
Tetlow King	Para 5.3. Support threshold of 15 reflecting the guidance in prosed changes to PPG3. Unclear which threshold the SPG will implement, it is essential that the intended threshold is clearly stated and justified.	The Council will provide evidence on housing need in all cases other than on exception schemes where it will be the requirement of developers. This should be clarified in the text. Recommend a change be made in respect of this

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		comment.
Tetlow King	5.4 35% target in UDP should be amended so that it is a baseline for negotiation and not levied as the maximum provision. Further clarification of the 35% is required and should relate to the findings of the Housing Needs Survey.	5.4 states that the Council will determine an appropriate level of affordable housing provision for the individual sites in negotiation with developers. The 35% provides indicative guidance. Recommend no change.
Tetlow King	5.5 SPG should set out the process in more detail, e.g. who will be responsible for proving need.	The Council will provide information on need other than in the case of exception schemes where it will be the requirement of developers. This will be clarified in the text. Recommend a change be made in respect of this comment.
Tetlow King	<p>S6 Recommend that a Pro forma section 106 agreements clauses should be attached to this document and a resume of the Housing Corporation's Scheme Development Standards (SDS) should be appended to the SPG rather than relying entirely on cross references to Housing Corporation document. It should be made clear however, that these may vary from time to time and will only apply to grant funded schemes.</p> <p>Consider that reduced car parking standards for affordable housing should be included in light of lower car ownership amongst the occupiers of affordable housing.</p>	<p>To include such detail would result in a long and complex document. The document is considered to be sufficiently detailed without providing other information.</p> <p>SDS is a housing corporation requirement regardless of whether there is grant input if the properties are managed by the RSLs</p> <p>In rural areas, car ownership increases rather than decreases across all tenures. Recommend no change</p>
Tetlow King	S8 The formula for calculating commuted sums for off site provision should be calculated and set out in this SPG. The administration and use of such monies should also be documented.	5.4 states that the Council will determine an appropriate level of affordable housing provision for the individual sites in negotiation with developers. The 35% provides guidances that this figure will be sought and has been achieved. Recommend no change.
Taylor Woodrow	Section 5.1 para 2 is contrary to C6/98 para 33ac. The Case of LB Hounslow v Wimpey Homes concluded with the Inspector agreeing that where there was no SHG then the developer could deliver low cost home ownership. The brief needs to be amended accordingly.	Where no grants are available land values will need to subsidise this. Recommend no change.
Taylor Woodrow RPS	Section 5.2 is contrary to C6/98 para 3 which states that affordable housing should be delivered through negotiation with the developer and para 10i which does not ask for the developer to prove	The Council is taking site development costs into account when negotiating a proportion of affordable housing on a particular site. Where these costs are high then this will be

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	'unusually high costs' as identified in the SPG. The sentence needs to be removed and amended accordingly in line with C6/98.	reflected in the negotiations to ensure a scheme is delivered. Para 10 of C6/98 does refer to the economics of provision and particular costs associated with development of the site. Recommend a change be made in respect of this comment.
RPS	Objection is made with regard to the wording which only provides for negotiation in circumstances where a large number of constraints exist. It is entirely possible that one development constraint may have a large bearing on the viability of a project. It is also considered unreasonable that the Council will only consider the negotiation of the proportion of affordable housing where the development of housing would lead to significant improvements in the local environment.	Noted and agreed Recommend a change be made in respect of this comment
Site Thresholds and UDP Thresholds		
Taylor Woodrow	Section 5.3 needs to be redrafted where it relates to the SPG being altered in line with C6/98 and PPG3, which it states should supersede the adopted Local Plans. This is premature and contrary to PPG 12 para 3.15 – 3.18. Therefore the current threshold levels remain in force until the revised UDP is adopted. See previous perquity comments.	In terms of para 38 of PPG3 and para 54 of PPG1 it is quite legitimate to use the more up to date information contained in PPG's to superseded development plans which outdate these guidance notes. Recommend no change.
Targets		
Taylor Woodrow RPS	Section 5.4 is contrary to C6/98 para 7 and 8 which states that it is the responsibility of the Local Authority to demonstrate affordable housing need and therefore not a matter for a developer. The sentence should be removed. (Same point refers to Section 6.1.1 para 3).	Noted and agreed however the amendment should include reference to the fact that it will be the responsibility of developer to provide local housing need evidence to support applications on exception sites. Recommend a change be made in respect of this comment
RPS	Objection is made to the second bullet point at paragraph 5.4 which includes reference to the target of affordable housing at 35% in the UDP. It is considered that such reference is misleading as it does not relate to adopted policy but emerging policy. Text needs to be amended to reflect this	This is a factual statement which makes clear that the figure of 35% is being progressed through the emerging UDP. In addition the Council has been successful in negotiating affordable housing schemes using this information. Recommend no change.

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Gloucestershire Housing Association	Item 5.5 exception sites – ensuring that the accommodation remains affordable is essential however, care needs to be taken on shared ownership schemes where the provisions of the Leasehold Enfranchisement Act give all leaseholders the right to acquire the freehold. The advice states that it is not possible to opt out of this statutory right by including additional clauses within the lease. To ensure the affordable housing is available in the future consideration needs to be given to how this can be achieved on shared ownership schemes.	This applies to settlements with a population of below 3,000 population where schemes are allowed through the exception schemes where the right to buy is not permitted. Agree that where exception housing is required to be provided in perpetuity the relevant tenure will need to be sought to ensure that planning obligations are met. Recommend no change.
Countryside Agency	Welcomes the aims and intentions of this section on exception housing, however the aim and intentions of this policy could be further clarified.	This is already a lengthy document and it is considered that the SPG goes into sufficient detail on this matter. Recommend no change.
The Negotiation Process		
Taylor Woodrow George Wimpy RPS	Section 6.1.1 para 6 and 7 should be removed. The Council have failed to mention that affordable housing can now be delivered through a developer and private funders, which is fully supported by the Barker Report and also the Governments Housing Bill and C6/98 para 33ac. Also C6/98 para 17 states that the LA should not prescribe which partners developers work with. Please remove from appendix 1. This latter point also relates to 6.1.2.4.	The wording used does not preclude other affordable housing providers it refers to the instances of an RSL provider. The Barker Report and the Housing Bill do not yet constitute approved government policy and should not be included in this SPG. A review of the SPG will need to address this issue. The Council are providing a list of preferred partners not prescribing which the developer much use. Those listed have experience of managing stock in market and rural areas and can to respond to management difficulties given their close proximity to the county. 6.1.2.4 simply asks which developer has been selected so ensure that the RSLs are kept informed and are made aware of the requirements of the local authority. It is suggested that Appendix 1 be changed to reflect the preferred nature of the list but no other changes be made in response to this comment. Recommend a change be made in respect of this comment.
Taylor Woodrow	Section 6.1.3 needs to include reference to the cascade mechanism in the s106 if the affordable housing is not delivered.	Noted and agreed Recommend a change be made in respect of this comment

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Design Standards		
Taylor Woodrow	Section 6.2 para 1 – reference to SDS and Lifetime Homes must be removed as it is contrary to PPG1 Para 30 and PPS1 para 1.28.	Para 30 refers to Green Belt and PPS1 is not approved guidance. It is the requirement of the Housing corporation that SDS should apply whether or not grant is received. Recommend no change.
George Wimpy	Lifetime Home Standards are requested in clause 6.2 which is a 'one size fits all' policy that is rarely effective. It would be far better to support a number of proper wheelchair units, provided funding is provided for the required additional items above the cost of a normal house.	Lifetimes home standards are sought to support the long term sustainability of households, particularly in the rural areas. Recommend no change.
Bromford Housing Group Gloucestershire Housing Association	Item 6.2 - Lifetime home standards will lead to the affordable houses looking different to the market homes and tend to be larger than the homes that developers would build taking up more land. This will therefore be resisted by developers	Lifetimes home standards are sought to support the long term sustainability of households, particularly in the rural areas. Recommend no change
Taylor Woodrow	Section 6.2 para 2 – support that affordable housing should be no different to other dwellings in design so reference to SDS is a contradiction. This also is in conflict with the statement at para 2.3.4 on page 7. The paragraph needs to be removed.	The word encouraged is used so the standards are not stipulated and as a minimum the standards should be that of the market housing which developers agree with. Recommend no change.
Taylor Woodrow George Wimpy RPS	There is no support for pepper potting. The Council has no related policy in its adopted development plans. Appeal of Mid Beds DC v Wilcon Homes concluded with the Inspector accepting that so long as all the affordable was built to the same standards as the open market then the affordable should be located in one corner of the site. The paragraph needs to be removed.	This approach is to encourage balanced communities across larger developments. Pepper potting is encouraged it is not stipulated so it can be negotiated with a minimum cluster being 6 to 8 units which will probably be the maximum number on most schemes. Recommend no change.
Bromford Housing Group	With the pepperpotting provide developers with acceptable cluster groups for affordable housing eg 8 units	The SPG already identifies clusters of 6 – 8 houses as being a minimum. Recommend no change.
RPS	Object to bullet point 5 of 6.2 with regard to negotiations with RSL's which assumes that affordable housing will be provided through a RSL which may not be the case.	Both the Barker Report and the Housing Bill do not constitute approved government policy and should therefore not be included in this SPG. A future review of the SPG will need to

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	RSL which may not be the case.	address this issue. Recommend no change
Financial Arrangements		
Taylor Woodrow	<p>Section 6.3.1 – The Council have failed to understand that affordable housing can now be delivered through a developer and private funders on s106 sites. This is supported by the Barker Report and the Housing Bill to enable developers to receive SHG.</p> <p>In terms of 6.3.1 para 6 developers will not need to justify to the Council the need for public subsidy in relation to the provision of SHG for affordable housing.</p> <p>Section 6.3.2 also makes no reference to developers or private funders delivering affordable housing. An assumption is made that it is an RSL.</p>	Both the Barker Report and the Housing Bill do not constitute approved government policy and should therefore not be included in this SPG. A future review of the SPG will need to address this issue. Recommend no change.
George Wimpy	Section 6.3.2 – shared ownership purchasers should be allowed to staircase out and purchase their property in accordance with Government policy.	The text in section 6.3.2 allows this to happen. Recommend no change.
Gloucestershire Housing Association	How can it be ensured that shared ownership stays available in perpetuity	The perpetuity requirement only applies to exception sites in accordance with C6/98. Recommend no change.
Taylor Woodrow	Section 6.33 para 3 is contrary to C6/98 as 'exceptional circumstances do not apply as C6/98 applies to all sites. This needs to be made clear. Reference to C6/98 paras 10i and 17 would have been helpful.	Noted and agreed. The text should be amended to reflect C6/98. Recommend a change in response to this comment.
Bromford Housing Group	The SPG clearly states on ADP funding will be available and later suggests Housing Corporation funding could be available although the planning process could be delayed. The SPG needs to be clear and stick to no ADP funding being available as the developers will play on this to get the RSL's to lobby the Council for SHG to improve the offer to them.	6.3.1 clearly states that no grant will be available. Although there does need to be contingencies should there be exceptional circumstances and therefore guidance needs to be given. Recommend no change.

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Gloucestershire Housing Association	6.3.1 public subsidy - To avoid any argument could it be said that no subsidy will be available under any circumstance?	6.3.1 clearly states that no grant will be available. Although there does need to be contingencies in exceptional circumstances and therefore guidance needs to be given. Recommend no change
Securing Affordable Housing		
Taylor Woodrow	Section 7.4 – support is given to the Council’s flexible approach on being able to negotiate occupancy level in open market units in relation to number of affordable units being built. Look at sites on an individual basis taking into account the location of the units on eth site, health and safety and build route logistics.	Noted
Taylor Woodrow RPS	Section 7.5 – the council have failed to mention that affordable housing can now be delivered through a developer and private funders. This is fully supported by the Barker Report and the Housing Bill to enable developers to receive SHG.	Both the Barker Report and the Housing Bill do not constitute approved government policy and should therefore not be included in this SPG. A future review of the SPG will need to address this issue. Recommend no change.
Financial Contributions in Lieu of On site Provision		
Taylor Woodrow RPS	Section 8.7 last paragraph – it should not be the obligation of the developer to claim back unspent monies. The s106 should include a statement that it is the Local Authority’s responsibility to inform and the developer and return unspent monies.	Noted and agreed. The text should be amended. Recommend a change in response to this comment
Appendices		
Taylor Woodrow RPS	Delete appendix 1 or state that these are the RSL’s that operate in the area and are not imposed on the developer.	Noted and agreed. The text should be amended. Recommend a change in response to this comment
Taylor Woodrow	It should be made clear that the issuing of Appendix 5 to a developer is a starting point and subject to negotiation.	Noted and agreed. The text should be amended. Recommend a change in response to this comment
George Wimpy	In appendix 2: Glossary, the definition of ‘Discounted Low Cost’ remains the same and has not been revised and updated in accordance with the revised plan.	Noted and agreed. The text should be amended to refer to “Low cost market” rather than “discounted low cost”. Recommend a change in response to this comment.