

SUPPLEMENTARY PLANNING DOCUMENT - THE DELIVERY OF AFFORDABLE HOUSING (ON DEVELOPMENT SITES) THROUGH THE PLANNING PROCESS

1. INTRODUCTION

- 1.1 The draft Supplementary Planning Document (SPD) - The Delivery of Affordable Housing (on Development Sites) through the Planning Process, was published for public consultation 28th July 2005. The period for making comments closed on 14th September.
- 1.2 Prior to the Portfolio Holders' decision to publish the consultation document, the draft SPD was considered at a joint meeting of the Economy and Planning Review Panel and Housing, Health and Social Inclusion Review Panel on 7th July 2005.
- 1.3 The need the guidance is referred to in the Adopted New Forest District Local Plan First Alteration. While the Local Plan provides the Council's basic policy framework for securing the provision of affordable housing on development sites through the planning process (PPG3 sites), it does not give detailed information about the implementation of these policies. The supplementary guidance in the SPD is intended as a guide to landowners and developers on how the District Council will be seeking to implement its policies through the negotiation of planning applications. It is hoped that such guidance will help smooth and speed up negotiations on affordable housing; add clarity and certainty to the process; and also produce better value for money

2. RESPONSE TO CONSULTATION

- 2.1 During the consultation period comments were received from 41 respondents. The attached schedule in Annex 1 summarises each comment received and gives the suggested response to each individual comment.
- 2.2 Some of the comments that have been received are in effect objections to the policies in the Adopted Local Plan. Most of the concerns raised in these objections have already been considered during the preparation of the Local Plan First Alteration and in particular at the Local Plan Inquiry and by the Local Plan Inspector in his report. It is neither appropriate nor necessary to address these objections by considering changes to the SPD. The SPD is not a vehicle which can be used to change policies in the adopted Local Plan.

3. THE MAIN CHANGES

- 3.1 The main changes proposed to the SPD are set out in Annex 2 to this report. Attention is drawn to three matters in particular.

- 3.2 Firstly, in the introduction of the document (page 2), some clarification is added regarding the role and status of the SPD (Change 1).
- 3.3 Secondly, in response to some concerns related to flatted developments, changes have been made to text relating to how the affordable units should be accommodated on the site, and management and service charges. (Changes 2, 7, and 12).
- 3.4 Thirdly, in response to concerns about the level of financial contributions expected from small development sites, changes to the method of calculating the financial contribution are made for sites where on-site provision is not an option because of the site's size (Changes 8 and 9). The effect of these changes is to reduce the amount of financial contribution expected from such sites.
- 3.5 None of the changes proposed affects the Sustainability Appraisal Report.

4. DOCUMENT FOR ADOPTION

- 4.1 Attached in Annex 3 is the Supplementary Planning Document - The Delivery of Affordable Housing (on Development Sites) through the Planning Process, as proposed for adoption by the Council.
- 4.2 The Council is also required to prepare a statement setting out:
 - (i) a summary of the main issues raised in these representations; and
 - (ii) how these main issues have been addressed in the SPD which they intend to adopt.

It is proposed that Annex 1 and Annex 2 to this report be published as the Council's statement for the purposes of Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2004.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no additional costs to New Forest District Council directly arising out of this report.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no direct environmental implications arising from this report.

7. CRIME AND DISORDER IMPLICATIONS

- 7.1 None.

8. PORTFOLIO HOLDERS' COMMENTS

8.1 Economy and Planning Portfolio Holder's comments:

I support this Supplementary Planning Document as it gives clarity to the implementation of the Council's policies in this important policy area. I am pleased that an amendment has been made, in Section 4 of the document, to the way contributions are calculated from small sites. (Changes Nos. 8 and 9).

8.2 Housing Portfolio Holder's comments:

This report is in effect a consolidation of our policies to use the planning process to best effect in obtaining more affordable housing for our local people, therefore I endorse this document.

9. RECOMMENDATION

9.1 It is recommended that:

- (1) The comments received on the draft Supplementary Planning Document - The Delivery of Affordable Housing (on Development Sites) through the Planning Process, be noted, and the responses to the comments set out in Annex 1 be agreed.
- (2) The Supplementary Planning Document - The Delivery of Affordable Housing (on Development Sites) through the Planning Process (as set out in Annex 3) be adopted by the Council.
- (3) The Head of Policy Design and Information be authorised to make any necessary detailed editing or clarification changes in preparing the SPD for publication.

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Background Papers:

The Delivery of Affordable Housing (on Development Sites) through the Planning Process Draft Sustainability Appraisal Report (NFDC July 2005)

AFFORDABLE HOUSING SPD: Comments in SPD Order With Response**ANNEX 1**

Section Ref	Object / Support	Comment Number	Name	Comments	Response
0	Neutral	3/1	Southampton County Council	No comment	N/A
0	Neutral	5/1	SEEDA	No comments.	N/A
0	Neutral	32/1	Hythe & Dibden Parish Council	Basic message is moving in the right direction, but certain parts of it need to be expanded and made more definite.	Comments noted. The document is a basis for negotiations so it is not always appropriate to express things in a more definitive manner.
0	Neutral	34/1	Adams Integra	Is there a point to this guide as the LDF and its Affordable Housing Statement will supersede this and also new national guidance will be with us in the guise of PPG3 soon.	The guidance is needed now to help implement the policies of the recently adopted New Forest District Local Plan First Alteration.
0	Neutral	39/1	GOSE	We found the draft SPD and appraisal report to be clear, easy to understand and accessible, and as such good examples of their kind.	Comments welcomed.
0	Neutral	41/2	New Forest Association	The likely pattern of development in NFD over the next 20 years indicates that the site size qualification must be dropped. It is not difficult for the smaller developers to arrange sites that will yield only 14 dwellings, avoiding providing affordable dwellings.	Comments noted. The reduction of site thresholds needs to be addressed through the Local Development Framework. It cannot be addressed in this SPD.
0	Neutral	41/30	New Forest Association	For the rural areas, the NFA are considering whether a policy that perhaps does not involve a registered landlord but requires a new home become an affordable home at some future date, might be considered.	Comments noted. Such a policy change would need to be considered through the Local Development Framework. It cannot be addressed in this SPD. In any event, it is likely that such a proposal would have a negative effect on the availability of affordable housing in areas of great need.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
0	Object	20/1	Wink A	Object to consulting people during August. Public consultation should take place before you implement new policies. It appears you have begun implementing these policies. It is not fair and democratic.	The consultation period was extended to mid-September. The requirement for affordable housing is not new. Policies in the adopted New Forest District Local Plan 1999 already established a requirement on most sites. Changes to the policies in the First Alteration to the Local Plan have been emerging over the past 4 years, and have been the subject of public consultation and consideration at the Local Plan Inquiry. The Council has been operating the revised policies since 1 January 2005.
0	Object	21/2	Sandleheath Parish Council	Too many 'may' and 'should' sentences leaves uncertainty. The document confirms that there are no guarentees that occupants of the houses will be local. (The definition 'locals' is persons within NFDC boundaries on their register.) Smaller communities do not support affordable housing for people from outside the immediate area.	This document is guidance upon which negotiations will take place. It is appropriate that the tone of the document is to guide rather than require certain things. This document is not about 'rural exception' schemes, but housing schemes for the open market where there is no control over who occupies the market housing. In Sandleheath priority for the affordable housing provided as part of any scheme will be given to local people on the Homesearch register. However, there may be circumstance where the affordable housing provided is made available to meet the needs of other residents of New Forest District.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
0	Object	21/6	Sandleheath Parish Council	The document makes no mention of the Parish Councils role. This is a fundamental mistake because public support for affordable housing in specific areas is at best marginal. Without the backing of Parish Councils and the local community the policy of delivering affordable housing will struggle.	The comments made relate to 'rural exceptions schemes' where local support, particularly from the Parish Council is very important. However, this SPD relates to PPG3 sites where development is to be permitted in accordance with adopted local plan policies.
0	Object	24/1	James R	The words 'Affordable housing' are just the modern 'in' words for council housing - no wonder the nimbies are concerned. Lack of availability is because councils have had to sell a lot of their stock. We are just being asked to provide council housing under a different umbrella. The Homeseach Register is just another name for Housing List or Council List, the majority of which are DHS clients. It should be funded by rich developers not local village people asking for a single building plot in their back garden.	Developers as well as local people may apply for planning permission to develop a single plot in the garden of an existing property. Although the implementation of affordable housing policies involves an element of negotiation, it would not be appropriate for those policies to be applied differently on the basis of who the applicant is.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
0	Object	30/1	Levvel Ltd	<p>We are concerned that the production of an affordable housing SPD is premature and contrary to effective spatial planning. Whilst we understand the Council's reasons for following this process, we believe that the Council's approach will damage the credibility of the emerging local development framework. The avoidance of providing a robust Core Strategy or Development Plan Document before the SPD will result in an inadequate evidence base being in place to support not only this consultation process but also the proposed new policy. As such, this process fails the test of soundness. The Council should be aware that Supplementary Planning Documents cannot be used to introduce new policy, as SPD is not subject to independent scrutiny of a Planning Inspector. Although the Council may believe that increasing housing need alone generates a reason to bypass the normal spatial planning process, it is wrong to accept that this justifies the avoidance of the need to provide a robust evidence base to be in place to inform policy formation, (PPS12 and Companion Guide). Such evidence base should include a full housing market assessment, a detailed analysis of housing supply, urban capacity study, an assessment of the availability of grant funding, whether existing communities are mixed and balanced and what is needed to improve them, consideration of viability to include anticipated wider planning gain costs and particular site costs. While it is appreciated that the Council has undertaken some of the necessary processes in order to provide an evidence base, we do not believe that this sufficiently robust or up-to-date to support this proposed Supplementary Planning Document. In particular the last full Housing Need assessment was</p>	<p>The SPD is not premature as it relates to the Local Plan First Alteration adopted on 24th August 2005. The SPD does not introduce new policy.</p>

Section Ref	Object / Support	Comment Number	Name	Comments	Response
				undertaken in 2001 with an inadequate update in 2003.	
0	Object	30/2	Levvel Ltd	<p>In accordance with the Council's Statement of Community involvement and the process identified in PPS12, the Council should be involving local stakeholders in the process of developing its evidence base. Until that is done, we believe that this SPD is premature especially given that some of the provisions within it attempt to amend and introduce new policy provisions.</p> <p>The Council has produced a 'Sustainability Appraisal' for this SPD and while we have not commented specifically on that document at this stage, we do not believe that the SPD fulfills all of the objectives set out in the document particularly in Section 3. Thus, although, we appreciate that this consultation is an important element in the process, we would like to see the more active involvement of local stakeholders, through, for example, Focus Groups to talk about these issues in more detail. These proposals were included in our representations to the Council's Statement of Community Involvement.</p>	Local stakeholder involvement formed part of the process of producing the First Alteration of the Local Plan and this SPD.
4.5	Object	33/2	Sellwood Planning	It is unrealistic to assume that the character (size etc.) of market housing will normally be the same as the affordable housing need mix.	No change proposed. The guidance makes it clear that local housing need as well as the character of the market housing are both factors to be taken into account.
0	Object	40/1	White Young Green Planning	In general the SPD gives a comprehensive account of the Council's position on Affordable Housing. It is too detailed in answering questions. It is repetitive in places and would benefit from editing.	Comments noted. No change in response.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
0	Support	16/1	Ringwood Town Council	Document is a sensible clarification of an area where developers could be confused.	Comment welcomed.
0	Support	29/1	Brockenhurst Parish Council	The document is clear and helpful.	Comments welcomed.
0	Support	31/1	New Milton Town Council	The provision of 'affordable housing' within the New Forest community is a commendable objective and the production of a Supplementary Planning Document to assist developers to effectively deliver this is admirable. As the SPD is intended as a guide to landowners and developers on how the planning policies for affordable housing in New Forest District are implemented through the development control process, there is little in the document that this Council considers requires commenting on as it would appear to be capable of achieving that objective.	Comments welcomed.
0	Support	37/1	Milford-onSea Parish Council	Milford on sea Parish Council applauds the principles of the document. There are various elements of this document which the Parish Council feels could be of help in the Council's quest to find a solution to the village's need for affordable housing.	Comments welcomed.
0	Support	41/1	New Forest Association	NFA generally supports the document, but believes that more imagination need to be shown if the planning process is to deliver more homes that meet the need of local people rather than the desire of Surrey residents for second homes.	Support welcomed. The concerns expressed seem to relate to rural housing rather than directly to this SPD.
Page 2	Object	21/1	Sandleheath Parish Council	No mention is made of the Housing Enablers role.	The Housing Enablers role relates to 'rural exceptions sites'. This document does not deal with 'rural exception sites'.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
Exec. Sum	Object	21/3	Sandleheath Parish Council	There is a clear definition of what is meant by 'affordable housing', however people are still confused when the term 'social housing' is used. The document should explain that there is no difference.	There is a difference. 'Social housing' is that provided by a social landlord - a Council or Registered Social Landlord. Affordable housing is a wider term, and covers shared ownership/shared equity housing too, and may not involve a social landlord. However, as set out in Section 2 of the document, the Council has a strong preference for affordable dwellings that are owned and managed by one of the Council's partner RSLs.
Exec. Sum	Object	30/3	Levvel Ltd	At the Local Plan Inquiry and confirmed by the Inspector's report, it was the intention that the 35% figure should be a "target" with the achievement of this to be seen to depend upon site characteristics and general suitability. In particular paragraph 2.5.34 of his report makes it clear that a target of 35% may mean that sites may contribute less than 35% depending on the "circumstances surrounding the site and its development". In this regard, therefore, the SPD is attempting to alter the emphasis and intention of Policy AH-1.	The SPD does not alter the policy which sets a target of 35% of dwellings to be affordable.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
Exec. Sum	Object	23/2	Innes R	<p>The differing treatment of the built-up areas (Totton Marchwood) and (Brockenhurst) mean that a landowner in Lymington can develop up to 14 units without having to pay the affordable housing tax. However in Brockenhurst the tax will be imposed where only one unit is proposed. The differing treatment is unfair, indefensible and discriminatory.</p> <p>In my opinion Brockenhurst is no longer a village. It has a mainline station, 27 licenced premises and over 30 shops. It's population is over 4000 and rising and in the summer it almost doubles. Imposing the affordable housing tax will simply add costs to the price of the property which makes it even more difficult for local young people to be able to afford any property in Brockenhurst.</p>	<p>The population of Brockenhurst Parish as a whole is 3365. The Council does not consider it appropriate to view Brockenhurst in the same way as the more urban parts of the District. The thresholds for affordable housing provision in the larger urban areas which have been set through the Local Plan reflect the minimum thresholds permitted by Government Planning Policy Guidance at the time the Local Plan was being produced. The Council's view is that when changes in Government policy allows it, a lower site threshold should be set in the larger settlements to enable additional affordable housing to be achieved in those settlements too.</p> <p>Contributions towards affordable housing from development proposals in Brockenhurst will be used to fund the provision of genuinely affordable housing within the village, which is more likely to meet the needs of local young people than housing for sale on the open market in Brockenhurst.</p>

Section Ref	Object / Support	Comment Number	Name	Comments	Response
Exec.S um	Object	30/4	Levvel Ltd	Site suitability does not only depend upon meeting size or number criteria (15 dwellings or 0.5 of a hectare in the case of the New Forest). Circular 6/98 makes it clear that other criteria should be taken into account. Again, the Inspector in paragraph 2.5.20 of his report states "I consider that the policy should be framed in such a way as to permit the consideration of wider issues and to bring the policy in line with the Circular advice". We believe that the policy wording does take account of these requirements and therefore to contradict this in the SPD will lead to the document effectively amending policy.	The SPD does not alter the policy.
Exec.S um	Neutral	34/2	Adams Integra	What is the definition of locality - it could be important.	It refers to the town or parish in which the development is proposed.
Exec. Sum	Object	21/7	Sandleheath Parish Council	Clear statement that the number of affordable houses should meet local needs, however, no mention of local housing needs surveys, the frequency of when they should be repeated or the role of the Parish Council in the process.	The comments seem to relate to 'rural exception site' developments and are not matters that need covering in this SPD.
Exec. Sum	Object	21/8	Sandleheath Parish Council	There is no mention that houses designated for shared ownership or equity should or will have a legal agreement fixing their affordable status in perpetuity.	This matter is dealt with in Section 4 in the answer to Question 10.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
Exec.S um	Object	30/5	Levvel Ltd	Housing Corporation Scheme Development Standards, Lifetime Homes standards and Housing Quality Indicators may be standards to strive for but they are not planning considerations and they should not be an 'expectation' from a planning policy. Obviously, they may be essential for schemes that receive Social Housing Grant funding (or its equivalent) but this a matter for negotiation with the affordable housing provider.	The comments in the SPD relate to the affordable housing element of a development and are therefore appropriate.
Exec.S um	Object	30/6	Levvel Ltd	It is has not necessarily been universally accepted that 'dispersed' housing is more sustainable. In particular, a recent case study Sovereign Housing Association in conjunction with the Housing Corporation states that "this development approach in itself is unlikely to deliver the wider social sustainability and community capacity building benefits that its supporters hope for".	Noted that not everyone agrees with the view that creating a mixed and balanced community will create more sustainable communities.
Exec.S um	Object	34/3	Adams Integra	Pepper potting down to groups of 5 is too few, 10 is a more sensible number. RSLs are normally happy with 10 as a guide.	The Council has received no comments from RSLs indicating 5 is too few.
Exec.S um	Object	30/7	Levvel Ltd	While we would agree generally with the principles of how the SPD envisages that land will be transferred for the affordable housing, we do not necessarily agree that the affordable housing land value will be nil in all cases. Indeed, affordability, may be maintained and a positive affordable housing land value achieved. Thus, the Council should not be prescriptive about land values in the SPD but should concentrate on ensuring that the affordable housing achieves the objectives of local plan policy and in line with the accepted definition.	Noted. The representee's comments do not reflect the Council's experience.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
Exec.S um	Object	36/1	Tillyer Mr F D	The last three words at the end of the first sentence should be amended to read, "at 35% of market value".(Delete nil cost). It is only fair that the Council subsidises the land cost. I also recommend that an amendment should be made to "Clean, serviced land should be transferred to a RSL/affordable housing provider at 35% cost."	No change. Government policy assumes that normally land is transferred to the affordable housing provider at nil cost (nil market value).
Exec.S um.	Neutral	30/8	Levvel Ltd	We agree that early negotiations regarding the affordable housing element should take place. However, we are concerned that this is not actually happening sufficiently in the New Forest.	Noted.
Exec. Sum	Object	21/9	Sandleheath Parish Council	For large scale developer the 'off-site' rules provide a get out in that they could provide affordable Housing 'ghettos' away from their showcase developments. They will use the early transfer of land to a RSL rule to their advantage.	This matter is dealt with in detail in the response to Q.15 and Q.16. The SPD and the Local Plan policies make clear that 'off-site' provision will only be acceptable in very limited circumstances - as set out in this SPD.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
Exec.S um	Object	30/9	Levvel Ltd	<p>It is appreciated that the Council's priority for affordable housing will be on site and this should always be the first presumption, there will be legitimate occasions where the affordable housing can better be achieved off-site thought a contribution for an off-site provision which will better meet identified housing needs.</p> <p>We also appreciate the principle of an off-site contribution relating to the land value of sites for affordable housing as this is in line with the Levvel principles. This should be the difference between the open market value and the affordable housing land value rather than, necessarily, the "unconstrained open market residential land value". We would suggest that the New Forest principle and the Levvel principle are similar but that the new Forest principle should take account of instances where the affordable housing land value may be positive.</p>	Noted. Do not agree with the suggested approach on land values, as 'off-site' provision will be on sites which have to be found in the open market.
Exec.S um	Object	34/4	Adams Integra	Reference needs to be made to 6/98 and PPG3 regarding the exceptions where no provision accords with government policy.	It is not the role of the SPD to repeat current Government policy or advice. The documents referred to are in any event under review.
Exec.S um	Object	34/5	Adams Integra	S106 agreements normally require provision of housing in relation to the building of the private, in the absence of funding, the land banking of sites could put a developer in breach and could make sites difficult to market part completed.	This type of detailed matter is for negotiation on a site by site basis.
Exec.S um	Object	36/2	Tillyer Mr F D	The second to last para. should be amended to read, 'the Council considers that the developer/landowner subsidy for affordable housing provision should be limited to provision at 35% cost of clean, serviced land.'	No change. Government policy assumes that normally land is transferred to the affordable housing provider at nil cost (nil market value).

Section Ref	Object / Support	Comment Number	Name	Comments	Response
Exec.S um	Neutral	30/10	Levvel Ltd	We do appreciate the intention of the New Forest to enter into early and detailed dialogue with developers for the affordable housing element of sites. However, our experience has been a contradiction of this and we have been disappointed by the 'one-way' aspect of our negotiations on specific sites.	Noted.
Exec.S um	Neutral	36/3	Tillyer Mr F D	Change Checklist note 3 to read: 'Including 35% land value transfer and identification of land to be transferred.'	No change. Government policy assumes that normally land is transferred to the affordable housing provider at nil cost (nil market value).
Exec.S um	Object	34/6	Adams Integra	LPAs cannot require the RSL to be a partner, the partnership agreement has no standing in planning terms.	The guidance does not state that a partner RSL must be used. It just expresses the Council's preference.
1.1	Neutral	17/1	Bransgore Parish Council	What is the current housing need in Bransgore?	63 on the Homesearch Register.
1.1	Neutral	34/7	Adams Integra	The DCA survey is getting old in its HNS based methodology, a new Housing Market Assessment would better define all market needs.	Comment noted. New surveys will be undertaken in work on the Local Development Framework.
1	Neutral	36/4	Tillyer Mr F D	1.1 The DCA report was updated in 2003, revealing an affordable housing shortfall of 886 units a year in the New Forest District. 1.2 I accept the Government Policy on Affordable Housing. 1.4 I accept the Development Plan Policies and Local Plan Strategy.	Noted. Para.1.1 will be clarified as suggested. (Change 3)

Section Ref	Object / Support	Comment Number	Name	Comments	Response
1.1	Object	30/11	Levvel Ltd	It is clear that the District Council has failed to produce an up to date and robust housing need assessment in line with government guidance. It is essential that the Council produces a robust evidence base. Such evidence base should include a full housing market assessment, a detailed analysis of housing supply, urban capacity study, an assessment of the availability of grant funding, whether existing communities are mixed and balanced and what is needed to improve them, consideration of viability to include anticipated wider planning gain costs and particular site costs. While it is appreciated that the Council has undertaken some of the necessary processes in order to provide an evidence base, we do not believe that this sufficiently robust or up-to-date to support this proposed Supplementary Planning Document.	The SPD relates to policies established in the New Forest District Local Plan First Alteration. Detailed evidence and survey work was produced and considered during the preparation of the Local Plan and examined in detail at the Local Plan Inquiry. Further detailed survey work is not necessary for the SPD.
1.1	Object	34/8	Adams Integra	The % rent would assist here.	Full details of the results of the survey are already published and available elsewhere.
1.2	Neutral	17/2	Bransgore Parish Council	Due to the 'variety' on the Homesearch Register this should give a mixed community.	A mix of different types of housing and tenures is the Government objective.
1.2	Neutral	30/12	Levvel Ltd	We have no specific comments on this paragraph although it should be noted that PPG3 revisions will be further amended and very little weight can be attached to the draft revisions referred to.	Noted.
1	Object	21/10	Sandleheath Parish Council	What is a district? The whole document confuses the local need with the wider district need. The policy (Aim 2) is poorly drafted and does not address opportunities for combining the requirements of neighbouring areas.	The comments relate to quoted Aims from the adopted New Forest District Local Plan (1st Alt.) The 'District' is New Forest District. It is unclear how the comments made in this representation relate to the aim of the Local Plan to meet local needs or to the SPD.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
1.5	Neutral	17/3	Bransgore Parish Council	Priority must be given to local residency qualifications.	This is the case in villages.
1.5	Object	30/13	Level Ltd	The Housing Strategy priorities are noted but affordable housing policy should concern itself with the full range of solutions and not just priority provision. Again, the definition of affordable housing in the Local Plan (and contained in this SPD) is important and should be borne in mind when looking at affordable housing provision in the New Forest. The definition highlights the need to deal with the full range of housing solutions – a notion picked up by the Inspector in his report. In particular the Inspector notes, and we support the notion, that “the term ‘affordable’ describes a whole class of residential development” and that “the dwellings provided should be available to people who cannot afford to rent or buy houses generally available on the market”. The reference to the Housing Strategy contains a critical extract. The operative expression is that sites should be “suitable” for affordable housing and whereas we would agree that specialist or sheltered housing sites should be considered alongside other sites for contributing an element of affordable housing, these sites should be “suitable” in all the ways envisaged by Circular 6/98 as discussed at the Local Plan Inquiry.	Noted. No change to the SPD in response. This section of the SPD describes the Council's Housing Strategy.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
1.6	Neutral	30/14	Levvel Ltd	While 'key worker' accommodation is currently an issue and has been identified in the Council's housing strategy, we are concerned that attempting to limit affordable housing to key workers will be difficult to enforce and could possibly become divisive. In any case, the need for affordable housing depends on the relationship between prices and incomes rather than to any specific employment class.	Views noted. The SPD makes clear that the 'need' for key worker housing in New Forest District is limited compared with the general need for affordable housing.
1.6	Object	34/9	Adams Integra	The GOSE Reginal Development Strategy places a great deal more importance to key worker housing than this document, they should follow.	This document reflects the needs of New Forest District.
2.1	Neutral	30/15	Levvel Ltd	Further to our remarks concerning key workers in paragraph 1.6 above, it is of note that the definition of affordable housing relies solely on the relationship between prices and incomes. We would concur with this definition.	Noted.
2.1	Object	30/16	Levvel Ltd	It is not clear why the Council should need to prioritise provision when this is not the purpose of affordable housing through the planning system. Although the Council's "preference" may be for ownership of affordable dwellings by a Registered Social landlord (RSL) this is not the only or best method of providing affordable housing. Identified need may be met through a number of routes depending on the client group and tenure.	As a Strategic Housing Authority it is appropriate for the Council to set out its housing priorities.
2.1	Neutral	17/4	Bransgore Parish Council	Affordable housing must remain affordable in perpetuity - not sold off.	Agree. However, local policies can not override national legislation.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
2.1	Object	30/17	Levvel Ltd	It is unclear why the Council is continuing to refer to affordable housing being provided "in perpetuity" when this notion was dismissed as being too limiting by the Local Plan Inspector (see paragraphs 2.5.9 and 2.5.10 of his report). The Government's intention is to ensure that affordable housing is only provided while that need exists (see Circular 6/98) and in any case affordable housing providers will find it impossible to access the necessary private finance to enable the affordable housing if 'in perpetuity' clauses are insisted upon.	As in the response to question 11 in Section 4, the clarification will be added that 'in perpetuity' means a minimum of 80 years (unless over-ridden by statute).(Change 4)
2.1	Object	30/18	Levvel Ltd	We appreciate that where it is possible and desirable in order to achieve a successful housing development, affordable housing should be on site. It is clear, however, that in some instances, affordable housing need is better met through an off-site contribution.	Noted. The situations where 'off-site' provision may be acceptable are set out in response to question 15.
2.1	Object	30/19	Levvel Ltd	The Council cannot insist that dwellings be built to the various standards set out in this paragraph as these are specific requirements of funding and regulation agencies for affordable housing. They are not a planning requirement and should only be for negotiation. In other words, the SPD is attempting to add on to existing policy.	Disagree. There is no point in negotiating a scheme which does not meet the affordable housing provider or Housing Corporations requirements.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
2.1	Object	30/20	Levvel Ltd	We have referred elsewhere to the wisdom of insisting upon pepperpotting of affordable housing. It is not clear from any evidence that this has the desired effect in terms of management and in many instances this may case divisive neighborhoods. We do believe that this issue should be more fully explored by the Council in the (fuller) consultative process on affordable housing and the Local Development Framework. This will be another issue that could be better discussed through focus group work.	While it is accepted that alternative views may exist on the merits of 'pepperpotting', it remains generally to be accepted as a desirable objective. Research by Sheffield Hallam University found that: "Mixing tenures had produced 'ordinary' communities and countered tenure prejudice. While none of the areas were problem-free, they have escaped the difficulties which have at times arisen where large concentrations of social housing exist." (Joseph Rowntree Foundation Sept. 2005) No change proposed to SPD.
2.2	Object	30/21	Levvel Ltd	We do not agree that, necessarily, social housing for rent will meet the majority of housing needs or desires. Other forms of affordable housing may be better suited to meet some needs. However, we do not doubt that some need is only met by social housing for rent (whether by Councils or by RSLs).	Noted. No change proposed in response.
2.3	Neutral	17/5	Bransgore Parish Council	Sites must have a mix - with rented as well as shared ownership and equity housing. Bransgore has a problem of teachers not able to purchase houses in the village.	The Council normally seek to secure a mix of affordable housing types, particularly on sites where 10 or more affordable houses are to be provided. (See response to question 5 in Section 4 of the SPD).

Section Ref	Object / Support	Comment Number	Name	Comments	Response
2.3	Object	30/22	Levvel Ltd	<p>Firstly, there is no evidence to support the statement that shared ownership and equity has only a limited role. Again, we believe that more robust housing need and market analysis should be undertaken as part of a more robust evidence base.</p> <p>Secondly, it is not certain that the optimum minimum size for schemes involving shared equity should be 10 dwellings. Again, we are concerned that the Council is trying to prioritise need contrary to the evidence of a need for wide ranging affordable housing solutions.</p> <p>Thirdly, while we would support the principle of an affordability test it is clear from recent government guidance that a reasonable income multiplier is 3.5 rather than 3. the Council has not made it clear how it will source the assessment of average incomes, whether these will relate to discreet sub-areas of the District. All of this should be the subject of further consideration through focus groups prior to the drafting of any SPD.</p> <p>Finally, the final sentence of this paragraph refers to affordable housing providers that are "approved by the Council". We would suggest that this should be "agreed with the Council" in the spirit of negotiation.</p>	<p>The Council's experience is that shared ownership and equity housing is only affordable to a small proportion of households on the Homeseach Register. Using a multiplier of 3.5 x average household income rather than 3 will result in housing which is 'affordable' to even fewer people on the Homeseach register and will not address the District's greatest needs.</p> <p>The Housing Corporation's guideline for borrowing levels to be used are 3x joint income or 3.5 x single income (Source:The National Affordable Housing Programme 2006–08 Prospectus) Average income data for sub-areas is not available, and if it was is unlikely to be reliable.</p> <p>As suggested in the final comment 'approved by the Council' will be amended to read 'agreed with the Council'. (Change 5)</p>
2.5/2.6	Object	30/23	Levvel Ltd	<p>These paragraphs would appear to be superfluous. Either the housing is affordable and meets the criteria contained within the definition of affordable housing and the Local Plan definition or it doesn't. These paragraphs do not aid our understanding of this.</p>	<p>These paragraphs discuss forms of housing which some developers claim to be 'affordable' housing, but aren't. These paragraphs make the position clear.</p>

Section Ref	Object / Support	Comment Number	Name	Comments	Response
2.6	Object	34/10	Adams Integra	Low cost market housing is deemed by ODPM to be affordable, why additional in a non-grant scenario?	In New Forest District 'low cost' market housing will not meet the needs of those whose housing needs policies AH-1 and AH-2 seek to address. 'Low cost' market housing is welcomed in addition to the target of 35% affordable housing secured through some form of subsidy.
3.1	Object	30/24	Levvel Ltd	As mentioned earlier in this representation, the suitability of sites does not only depend upon site size criteria. Local Plan policy (and as recommended by the Local Plan Inspector) suggests that the criteria within Circular 6/98 are relevant. The Council should acknowledge this within this section of the SPD – if not the SPD is attempting to amend Local Plan policy.	Noted. The SPD does not override the Local Plan. In the SPD it would be misleading for the Council to imply that some sites may not be suitable for the provision of affordable housing as no such circumstances have arisen.
3	Object	34/11	Adams Integra	Suitability should refer to 6/98 and PPG3 tests.	It is not the role of the SPD to repeat current Government policy or advice. The aim of the guidance is to add clarity to the process, not creat uncertainty.
3	Object	40/2	White Young Green Planning	Include cross reference to criteria specified in policies AH-1 and AH-2 relating to site suitability (and para. 10 of Circ. 6/98)	A general statement about the relationship between the SPD and the adopted Local Plan policies will be added at the beginning of the SPD. (Change 1)
4.1	Neutral	17/6	Bransgore Parish Council	Policy AH-2 applies to Bransgore. If the affordable housing provided on a site is not what is required on the housing needs register, negotiations should ensure it is what is needed.	Agree with comment.
41	Neutral	36/5	Tillyer Mr F D	I accept the target to negotiate 35% of dwellings to be affordable.	Noted.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.01	Object	4/1	Hall PJ	Object to policy AH-2 applying to all sites in villages as it stops local people building houses.	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.)
4.01	Object	6/1	Brown C	Object to affordable housing charges applying to all new houses in the villages.	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.)
4.01	Object	7/1	Wright D	Object to affordable housing requirement applying to all new development in villages.	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.)

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.01	Object	8/1	Maltby	Object to tax on development in villages. Why does tax only apply after 15 units in towns and for every unit in villages. Should be a fixed tax of £1000 on all new dwellings then everyone would pay. Fixed levy would be easier to collect than having to negotiate.	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.)
4.01	Object	9/1	James R	Object to tax on development in villages. Object to policy requiring all sites in villages to make a contribution towards affordable housing. Should be a fixed tax of £500 on all new dwellings put aside for affordable housing.	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.)
4.01	Object	10/1	Dean	Policy on contribution to affordable housing is wrong and unfair and open to corruption by the Authority. A small tax on all new dwellings based, proportional to the square footage would be fairer.	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.)

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.01	Object	11/1	Hams	Tax on all development of dwelling units in villages is a blackmail tax - pay or no permission - this cannot be right.	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.)
4.01	Object	12/1	Matysik & Shrosbree	Object to the requirement for a contribution towards affordable housing from local people wishing to build their own home. Cannot afford to buy a house that is already built, and affordable housing requirement now puts building own house out of our price range.	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.)
4.01	Object	13/1	Roote	How can the policy changes have been operable since Jan. 2005, but only now available for consultation? What did the Local Plan Inspector say to warrant such an unfair levy on planning units in villages? How much money has been paid by professional developers under the policy? Policy would be farer if a fixed levy of £2000-£3000 per unit was operated throughout NFDC area.	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.)

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.01	Object	14/1	Bull C	Policy to require an affordable housing contribution of 35% should differentiate between private individuals and developers.	It is not possible to discriminate between different applicants in the way suggested.
4.01	Object	15/1	Dunkason	As someone involved in the building trade I think the policy is a load of rubbish - legalised bribery. Are you saying if we don't pay we don't get permission?	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.)
4.1	Object	17/8	Bransgore Parish Council	Greenfield sites should not be used.	Only greenfield sites allocated in the Local Plan can be developed. The only exception to this is 'rural exception schemes' for 100% affordable housing to meet a local need.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.01	Object	18/1	Hall C	Unfair to apply affordable housing contribution policy to single dwellings in villages. Fairer to levy £1000 on every new dwelling as a contribution to affordable housing. Why isn't Brockenhurst a larger village as its population has grown to over 3500 with the flood of new sheltered housing.	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.) The population of Brockenhurst Parish as a whole is 3365. The Council does not consider it appropriate to view it in the same way as the more urban parts of the District given the extent of local housing need and the very limited opportunities to address that need within the National Park.
4.01	Object	19/1	Hammond M	My friend has recently had planning permission passed in Brockenhurst to build one house on her land and has been told to pay £43750 towards affordable housing. She is only 23 and struggling to get on the property ladder. I thought NFDC were trying to encourage young people to live in the area. The S.106 agreement is unfair.	Comments noted.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.1	Object	21/4	Sandleheath Parish Council	The benefits of the policy for affordable housing in terms of large scale development is understood, however, we do not believe the policy should hinder the freedom of small scale developments. The latter should continue to be under the control of usual local planning controls and procedures and not suddenly under an imposed 'financial'/affordable housing constraint. The policy will discourage smaller scale projects, especially where the land owner or developer lives on the proposed development site.	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.)
4.1	Object	22/1	Lambert S	Why was the affordable housing contribution policy altered from 2 or more in villages to every unit. The Inspector in his report Oct. 2004 made no mention in respect of single plots. This requirement was never discussed at the inquiry. Why wasn't the 15 requirement reduced?	The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.) The threshold wasn't reduced in larger settlements as this was not possible under Government Guidance operating at the time. However, the Council gave evidence at the Inquiry indicating that it would wish to seek a lower threshold in larger settlements if Government Planning Policy Guidance permitted it to.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.1	Object	23/1	Innes R	Affordable housing tax/levy should only apply to sites where the land available can allow 2 or more buildings to be built. Single unit sites should be exempt.	The policy requiring all sites in rural areas and small settlements (Policy AH-2) to contribute an element of affordable housing was established through the First Alteration of the New Forest District Local Plan, which was adopted on 24th August 2005. The matter was considered at the Local Plan Inquiry. The Inspector supported the policy to require all housing developments to make an affordable housing contribution. (He considered the issue in para. 2.5.48 of his report.)
4.1	Object	25/1	Reeves T	If this amended policy is adopted in the villages, 35% contribution on all development sites, it can only open the doors to malpractice. If the councillors are considering a planning application and there is a 35% development enhanced value going into the Council coffers, do you not think this will influence the democratic process. It must do or it will certainly be seen to by the general public -just look at the reaction to the Barton development proposed by Pennyfarthing. A small fixed fee on all developments throughout the area in much fairer and would bring more money into affordable housing coffers thus helping more on lower incomes.	The Council's current policies and practises accord with Government Planning Guidance which requires residential development schemes to make provision for affordable housing as part of the development proposals.
4.1	Object	27/1	Hall R	The lack of affordable housing to buy in Brockenhurst was one of the factors in our decision to move abroad. Providing affordable housing to rent is commendable but this amendment will prevent smaller, one off, houses becoming available for the many young people who want to buy.	Comments noted. The Council welcomes the provision of low-cost market housing as well as affordable housing on sites in Brockenhurst.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.1	Object	28/1	A'Court A	We are an example of a young family driven from Brockenhurst - OK New Zealand is a bit extreme, but we know of many young Brockenhurst couples who have had to move away in order to buy a home. This action could stop all small building plots and Brockenhurst certainly doesn't need any more large ones.	Comments noted. The Council's policy will result in the provision of additional affordable housing in Brockenhurst. Market housing is not affordable to local people in housing need.
4.1	Object	30/25	Levvel Ltd	Firstly, the site size criterion is not the only way to assess whether a site is suitable for affordable housing. Circular 6/98, paragraph 10 states clearly that there are a number of other criteria to be considered and taken into account when seeking to negotiate an element of affordable housing. These include the economics of provision (whether there are particular costs associated with the development), the proximity of local services and facilities, whether the provision of affordable housing would prejudice other planning objectives and the achievement of a successful housing development. The Local Plan Inspector was certain that these criteria should be explicit. If the SPD does not acknowledge this, then it is attempting to amend policy. Secondly, while the Council in this SPD are attempting to ensure that only 35% is achieved, the local Plan requirement should reflect the intention of Local Plan Inspector at the local plan inquiry. While he was quite clear that the policy should allow for instances where more than the 35% target could be achieved, he was also clear that there may be circumstances where a provision of less than 35% might be achieved because of site suitability. This should be made clear in this SPD. Again, if this is not done, it can be seen that the SPD is attempting to amend Local Plan policy.	It is not necessary for the SPD to repeat policies in the Local Plan. The relevant policy background to the SPD is provided in the Policies in the Local Plan First Alteration as adopted on 24th August 2005, and not comments made by the Inspector in his report. However, the Council consider the adopted policies reflect the Inspector's recommendations. Text will be added to the SPD to further clarify the relationship between the adopted Local Plan and the SPD. (Change 1)

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.1	Object	33/7	Sellwood Planning	The application of a 15 dwelling threshold on the basis of the gross number of dwellings is both unreasonable and contrary to normal practice. The threshold should apply to the net gain in residential development.	The Local Plan policies relate to gross no. of dwellings proposed. The only exclusion (in policy AH-2) is for single replacement dwellings.
4.1	Object	35/1	RPS Group	Fairview strongly object to the threshold of 15 or more dwellings or residential sites of 0.5ha.	This policy does not conflict with Government policy and has been in the adopted Local Plan since 1999 and re-affirmed in the First Alteration to the Local Plan adopted in August 2005.
4.1	Object	35/2	RPS Group	Object to the requirement to provide a contribution of 35% affordable housing from all sites above the thresholds. It is unjustified and unacceptable.	This SPD cannot change policies that are in the adopted First Alteration to the Local Plan. This has established the Council's target to negotiate 35% of dwellings to be affordable dwellings.
4.1	Object	37/2	Milford-onSea Parish Council	The Parish Council believes that Milford on Sea should be categorised as a New Forest village, rather than a built-up area. As a built-up area developers are able to build up to 15 units without any obligation for the provision of affordable housing. It is noted that Bransgore is treated as a special case.	This SPD cannot change the policy relating to Milford on Sea. The Council's view is that when changes in Government policy allows it, a lower site threshold should be set in settlements such as Milford on Sea to enable additional affordable housing to be achieved in those settlements too. Changes to the site threshold that applies in Milford on Sea will be considered during work on the Local Development Framework.
4.1	Object	38/1	Woodgreen Parish Council	The site threshold of 5 (rather than 15) would still be profitable.	The SPD cannot change the Policy. If permitted by changes to Government policy, in its work on the Local Development Framework, the Council would wish to consider lowering site thresholds in built-up areas.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4	Object	40/3	White Young Green Planning	The policy position of the gross number of dwellings within a scheme being the determining figure in the assessment of thresholds will have a negative impact on financial viability of new residential development. This is more acute in small schemes.	The Council has found no evidence of this being the case. The matter was considered at the Local Plan Inquiry.
4.1	Support	37/6	Milford-onSea Parish Council	The Parish Council is pleased to note that the potential of the site and the adjoining site will be taken into account when deciding planning applications. Can this be extended to adjoining sites not in the same ownership?	Current government guidance limits what the Council can pursue.
4.1	Object	21/5	Sandleheath Parish Council	The policy dictates that a percentage of affordable housing or financial contribution must be provided even when the threshold for affordable housing in an area has been reached and local need is adequately catered for.	The need for affordable housing is so great in the District that it is unlikely that in the foreseeable future supply will exceed demand.
4.2	Object	26/1	Lewis A	You are using this amended policy prior to adoption of the policy.	The requirement for affordable housing is not new. Policies in the adopted New Forest District Local Plan 1999 already established a requirement on most sites. Changes to the policies in the First Alteration to the Local Plan have been emerging over the past 4 years, and have been the subject of public consultation and consideration at the Local Plan Inquiry. The Council has been operating the revised policies since 1 January 2005.
4.2	Object	30/26	Levvel Ltd	While affordable housing provision is a material planning consideration, the Council must seek to negotiate an element only on suitable sites.	Noted. This matter is covered by policies in the adopted Local Plan.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.3	Neutral	30/27	Levvel Ltd	Again, we would like to make it clear that the 35% target should be seen as an aspiration and that less (or, indeed, more) may be negotiated depending upon site suitability and the need to meet identified housing needs. We would support the Council's methodology for dealing with "fractions" of affordable housing.	Noted. 35% is a target, not an aspiration.
4.4	Object	32/2	Hythe & Dibden Parish Council	It is not stated how the need for smaller dwellings will be met.	Policy DW-E2 of the adopted New Forest District Local Plan First Alteration seeks a minimum of 50% 1 and 2 bedroomed units on sites of 15 or more dwellings.
4.5	Object	30/28	Levvel Ltd	We refer back to our earlier comments regarding "priority" affordable housing provision. The Local Plan policy should not be prioritising certain types of affordable but rather should be aiming to ensure that the affordable housing meets the definition set out in the Policy and supporting text. In addition our earlier remarks about the Housing Corporation's Scheme Development Standards should be a matter for negotiation and cannot be implemented through the local plan process.	As a Strategic Housing Authority it is appropriate for the Council to set out its housing priorities. In relation to the second comment, there is no point in negotiating a scheme through the development control process which does not meet the affordable housing provider's or Housing Corporation's requirements.
4.5	Object	38/2	Woodgreen Parish Council	A more innovative approach to ownership & equity is needed if the scheme is to be attractive to those who wish to get on the property ladder.	The Council accepts there is a wide range of people in need of housing they can afford in the District. This SPD deals with affordable housing that requires some form of subsidy to make it affordable, and includes shared ownership and shared equity housing.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.6	Neutral	37/3	Milford-onSea Parish Council	The Parish Council is very anxious to retain the allocation criteria which is currently in place so that the large number of families on the Homesearch register claiming a connection with Milford will take priority over those with no connection specifically to Milford.	This SPD does not change the allocation criteria. Milford on Sea is treated as a village rather than a town for the purpose of the Home Search Scheme.
4.6	Object	21/11	Sandleheath Parish Council	The policy makes no provision for the Parish Council's involvement in validating eligibility of people for affordable housing in their area.	This is not normally a matter for Parish Councils.
4.7	Neutral	30/29	Levvel Ltd	Our earlier comments about key workers should be taken into account. Our considerable experience of helping to provide affordable housing would suggest that intermediate housing caters for households where the relationship between their income and household costs means that they are in housing need rather than relate that to any specific type of employment. It is our opinion that the restrictive and ambiguous term key worker be avoided as this will undoubtedly lead to some households in housing need not being able to access the appropriate housing.	Agree with comments. No change to SPD needed.
4.8	Neutral	33/4	Sellwood Planning	It is more common for developers to wish to build the affordable dwellings and sell them to the RSL. This ensures quality control and reduces the chances of the affordable housing having a different appearance to the private housing. The SPD should give equal weight to both land transfer and build options.	The guidance does not indicate a preference between these alternatives.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.8	Object	30/30	Levvel Ltd	We would like to refer back to our comments regarding making land available at nil affordable housing land value. While in some instances this might be appropriate, in other cases a positive affordable housing land value might be achieved. This should be reflected in the response to this question.	With current levels of funding available for public subsidy of affordable housing, the Council's experience is that a positive affordable housing land value will not be achieved.
4.9	Neutral	17/7	Bransgore Parish Council	Should there be a preferred list of Registered Social Landlords?	There is. It is available from the Housing Development Team.
4.9	Object	30/31	Levvel Ltd	Affordable housing is not only provided by Registered Social Landlords. It is not necessary or even desirable that the provider is accepted by the Housing Corporation "as an appropriate provider" as it is not within the Housing Corporation's scope to approve affordable housing providers on an ad hoc basis such as being proposed. The response to this question is therefore much too restrictive.	The SPD does not rule out other affordable housing providers. The Council is expressing its preference. Involvement of an RSL is likely to help the negotiation of a planning application.
4.9	Object	33/1	Sellwood Planning	Whilst the Council's preference may be for developers to use their Partner RSLs, a developer should be free to select its own RSL or other provider as long as that body/ organisation is acceptable to the Housing Corporation. This applies particularly where no Government grant is available.	The Council considers use of a partner RSLs to provide affordable housing in the District will ensure the provision made represents the best value for money and meets the quality standards sought by the Council. The Council does not wish to create a situation where RSLs are in competition with each other for sites as this pushes up the cost of affordable housing provision.
4.9	Object	34/13	Adams Integra	Last bullet point, should this be in a planning guide?	This guides does not relate solely to land use planning matters.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.10	Object	30/32	Levvel Ltd	Again, while we agree with the principle of land value subsidy, we do not necessarily believe that the affordable housing land value is nil although in some instances it may be. With regard to service charges it is not clear how a figure of £250 has been arrived at. Nevertheless, it is inappropriate to specify a restrictive figure within the SPD as setting service charges will have to be made on a scheme by scheme basis.	Comments about nil value already covered. £250 is the level which is likely to be affordable to an affordable housing tenant. The SPD will be amended to refer to this as a target rather than a cap. (Change 7)
4.10	Object	34/14	Adams Integra	Clean land could put a great strain on a sites economics if it is severely contaminated.	The price paid for the land by a developer should take account of such factors.
4.10	Object	40/4	White Young Green Planning	The Council state a capped service charge of £250 for flatted affordable housing. This is likely to be unrealistic as time goes by and should be indexed linked.	Amendment proposed.(Change 7)
4.10	Support	33/8	Sellwood Planning	The acknowledgement that the RSL should pay its due share of S106 costs is welcomed and equitable.	Noted.
4.10	Object	33/5	Sellwood Planning	It is important that the SPD recognises that a lack of grant should not delay the development of affordable housing. Where no subsidy is available, an option would be for the developers to add the subsidy but provide less than 35% affordable housing.	The Council's approach in set out in the second paragraph of question 10. A reduction in the amount of affordable housing provided would not be an option favoured by the Council.
4.10	Object	36/6	Tillyer Mr F D	Amend sentence to read: "The Council considers that the developer/landowner subsidy for affordable housing provision should be limited to the provision of 35%, clean, serviced land." Amend text in bold to refer to 35%.	No change. Government policy assumes that normally land is transferred to the affordable housing provider at nil cost (nil market value).

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.10	Object	1/2	Gardner LT	Build costs - provision should be made for possible disagreement over the figures. Professional fees to certify build costs should form part of the build costs.	This is the case.
4.10	Neutral	1/3	Gardner LT	RSL should become a fully contributing member of organisation set up to manage the ongoing maintenance of a block occupied in part by affordable housing.	Agree this should be encouraged. Text will be added to cover this point.(Change 7)

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.10	Object	1/1	Gardner LT	<p>The SPD contains a reference to a £250 limit of permitted annual contribution, where Affordable Housing is provided in a block of flats, to the cost of maintenance of common parts. This should be deleted.</p> <p>When Appeal No 83206 is determined, the Inspector may permit a development of 17 flats, with 6 Affordable Housing flats, out of the 17.</p> <p>Nearby, in Davidson Close , a block of 6 flats, without a lift, currently incurs annual maintenance charges of £740 per flat, for common parts cleaning (without window cleaning). This is the ongoing rate for all the blocks of flats here.</p> <p>Should the Affordable Housing Flats in the proposed 17 flat development only be permitted to pay £250 pa and there is also added costs of a lift to maintain, you may imagine how the "fully priced" flat dwellers will feel, if they have to bear a substantial unrecovered share of maintenance charge of the affordable housing flats. Hardly a "balanced" community! Maintenance costs will rise over time. The fully priced flats should not be expected to make an ongoing subsidy towards maintainance costs.</p> <p>For good neighbour's sake I propose the £250 limit be removed. You may rely on the "fully priced" flats to resist blatant overcharging for maintenance of common parts.</p>	<p>There is clearly an issue here, and it is important for occupiers of both the open market housing and the affordable housing that service/maintenance charges in blocks of flats are not excessive. However, the risk of an uncapped service charge for affordable housing units is that the units become unaffordable to tenants or occupiers. (Change 7)</p>

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.11	Neutral	37/4	Milford-onSea Parish Council	It is noted that the aim is that affordable housing should remain so in perpetuity unless 'over-ridden by statute, for instance Right to acquire'. The Parish Council has been given to understand that any new build housing association accommodation within the village will not carry a right to buy or any opportunity for 'staircasing'. It would be helpful to clarify this.	A Statutory Instrument and guidance sets out the circumstances where Right to Buy/Acquire or stair-casing is not possible. This can change over time. At present only parts of Milford on Sea Parish are exempt - those parts lying outside the settlement boundary.
4.11	Object	2/1	Ashurst & Colbury P C	There should be no provision to overrule by statute. They are only affordable full stop.	This is not possible.
4.11	Object	30/33	Levvel Ltd	As discussed previously, the affordable housing should only be restricted "while that need exists" and not in perpetuity.	It would not be practical to use such terminology in legal agreements.
4.11	Object	32/3	Hythe & Dibden Parish Council	80 years does not equate to perpetuity and the timescale should not be confusing.	There have been legal cases where 'in perpetuity' has been interpreted to mean a much shorter period than 80 years. Relying on this term alone may therefore reduce the long-term availability of the affordable housing provided.
4.12	Object	33/9	Sellwood Planning	Whilst the need to guarantee the delivery of affordable housing in a phase is understood, the 25% trigger (market occupations) is not likely to be feasible in cases where the developer is building the affordable housing units and passing them to a RSL.	Phasing of the development in an appropriate way would overcome such problems.
4.12	Object	40/5	White Young Green Planning	The Council need to clarify the point of flats being leased. The Council need to cement what type of lease the flats will have and their length.	As the guidance already states, for flats a leasehold of 125 years is normally sought in an agreement. In respect of the terms of the lease, for example re. repairs, this is a matter for negotiation.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.13	Object	21/12	Sandleheath Parish Council	It is questionable if this policy is workable. The desire for mixed housing developments is an ideal goal, but society dictates that there will always be a need for exclusive executive developments. Affordable housing provision cannot and should not be forced into every type of development.	The need for affordable housing in New Forest District by far exceeds the need for any other form of housing development. It is therefore important that all new housing sites, where policies AH-1 and AH-2 apply, should be developed in such a way so that they make a contribution towards addressing the affordable housing needs of the District.
4.13	Object	30/34	Levvel Ltd	The response to this question is very restrictive. Some forms of residential development are meeting a need in the District which might not be affordable housing need. Where this is on small restricted sites, the viability of providing a mix of affordable and open market housing makes the scheme impossible to develop. In this case the site itself might be suitable for an element of affordable housing but the development itself might not be. This should be acknowledged in the response to this question.	The Council does not agree with this comment. The need for affordable housing surpasses all other housing needs within the District.
4.13	Support	37/5	Milford-onSea Parish Council	The parish Council is reassured that affordable housing will be given priority over sheltered housing since Milford on Sea has considerably more sheltered or managed accommodation for the elderly than property which is available to younger less affluent people. The sustainability of the village must depend on maintaining and creating a 'balanced community', as stated as a principle in this document.	Comments welcomed.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.14	Object	23/3	Innes R	The imposition of affordable housing tax must be flexible and be able to cater for special circumstances. Account should be taken of particular situations and allow for special cases. Recent case in Brockenhurst - would have provided house for young local families who otherwise could not purchase in Brockenhurst.	The SPD is guidance and intended as a basis for negotiation. Contributions towards affordable housing are negotiated on a site by site basis. There is scope for the affordable housing requirements to be varied if there are particular circumstances to justify a variation from normal requirements.
4.14	Object	30/35	Levvel Ltd	We do not support the proposals for "open book" considerations as this will inevitably lead to considerations of profit levels as a way of assessing site suitability. It is inappropriate to use profit in this way through the planning system. However, we do appreciate that the economics of provision is an important consideration.	Views noted. The Council's view is that only through an 'open book' approach can negotiations take into account unforeseen site specific circumstance. It will be in a developers interest to adopt such an approach in cases where it is claimed that full provision of the affordable housing requirement on site can not be achieved for economic reasons.
4.15	Object	35/3	RPS Group	Object to the Council's objectives to provide a full requirement of affordable housing within a development site. It is not appropriate or desirable on most small urban sites. It is not normally viable for RSLs to manage 4-5 units of affordable housing in a large block.	The SPD accords with Government policy and reflects the limited opportunities for new development that exist in this district because of environmental constraints. In this District RSLs do manage a low number of affordable housing units on sites.
4.15	Neutral	34/15	Adams Integra	There is a perception that a developer will increase revenue if another site is chosen for the affordable housing for a site, this increase in revenue must be offset by the need to acquire the other site which by its nature will be within the urban area and have a market value and on that basis will mean that the increase in revenue will not in fact necessarily increase the overall profitability of the scheme.	Noted. The Council's preference is for on-site provision.

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.15	Object	30/36	Levvel Ltd	<p>We do agree that initially sites and developments should be assessed for their ability to provide affordable housing on site. However, there are cases where the affordable housing can be better met through an off site contribution whereby the contribution should be calculated based on the 'subsidy' that the developer would have provided had the affordable housing been achieved on site. The contribution should not be uplifted to take account of any increase in developer profit as this is not the purpose of the affordable housing policy. The purpose of policy is to achieve a similar amount of affordable housing as would have been achieved on site. To seek anything further would be amending the existing policies in the Local Plan and contrary to planning guidance. This is a fundamental principle. It is also stated that "it is important that off-site provision does not compromise the aim of achieving mixed and balanced communities". While we agree with this statement, equally, if an on-site contribution will also compromise this aim then alternative provision must be considered.</p>	<p>In accordance with Government Guidance affordable housing provision should normally be made on site. The SPD sets out the very limited circumstances when it might be acceptable to provide affordable housing 'off-site'. The Council seeks to ensure that developers are not discouraged from meeting the affordable housing requirement on site by finding 'off-site' provision is a more profitable option.</p>
4.15	Object	38/3	Woodgreen Parish Council	<p>The need for affordable housing in smaller settlements/villages could be answered by taking all or part of the 35% and building on a different site.</p>	<p>This does happen.</p>

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.16	Object	30/37	Levvel Ltd	We agree that commuted sums should be accepted where affordable housing needs are better met off-site. However, the Local Plan policy is clear that this will be done where site suitability dictates and therefore we are confused by the sentence which states that the decision will be taken as part of its overall strategy. The principle is already part of the Council's overall strategy. As far as the calculation of a sum is concerned while we would agree with the principle of land value being the base for the methodology, the sum should only be based on the 'subsidy' that would have been achieved on the application site. The wording of the paragraph on pages 23 and 24 would suggest that the Council are looking for an open-ended contribution if the alternative site is larger than the application site. This is unacceptable.	The SPD sets out the very limited circumstances where a financial contribution would be acceptable. This is primarily in villages where policy AH-2 applies to sites of fewer than 3 dwellings where on site provision is not an option. The level of contribution is based on the open market value of an equivalent plot of land since contributions collected will be used to purchase alternative sites/plots in the open market on which to provide affordable housing.
4.18	Object	30/38	Levvel Ltd	We have commented earlier about the problems that may occur in dispersed estates and we would suggest that the District's requirements set out in response to this question are far too restrictive. We have also commented that the various standards set out in this SPD should not be applied through the planning system. They are not a planning requirement and will, therefore, be a matter for negotiation between the developer, council and affordable housing provider.	The SPD applies Government policy. As a Strategic Housing Authority it is appropriate for the Council to set out its housing priorities. There is no point in negotiating a scheme through the development control process which does not meet the affordable housing provider or Housing Corporations requirements.
4.18	Object	33/3	Sellwood Planning	Whilst the dispersal of affordable units around a scheme is supported, the maximum grouping of 5 units is not realistic in terms of blocks of flats.	Accepted. Amend guidance to recognise this may not be possible to achieve in flatted developments. (Changes 2, 7 and 12)

Section Ref	Object / Support	Comment Number	Name	Comments	Response
4.20	Object	30/39	Levvel Ltd	We would support early negotiations and discussions and would hope that the Council would adopt a reasonable stance in negotiations. However, our experience of trying to negotiate sites in the District is that the Council has not been willing to enter into dialogue. This has been disappointing and we would hope that the Council, in the future, could adopt a stance similar to that set out in the response to this question.	Noted. A key aim of this SPD is to aid and speed the consideration and negotiation of planning applications which require an affordable housing contribution, by setting out clearly the Council's requirements for affordable housing.
4.20	Object	33/6	Sellwood Planning	It is unclear how all the information requested in an Affordable Housing Statement can be provided in conjunction with an outline planning application.	Certain principles can be established in an Affordable Housing Statement
4.2/4.3	Object	34/12	Adams Integra	There is no reference to viability of schemes here, there should be reference to 'economics of provision'.	The cost of complying with this guidance should be taken into account when purchasing a site for development or when assessing its value. This guidance aims to clarify and provide certainty in respect of the implementation of the affordable housing policies in the adopted Local Plan.
4.21	Object	21/13	Sandleheath Parish Council	Re. last sentence of response to Q.21: Why is it considered more favourable when the aim appears to be to increase the housing stock?	The requirements of any legal agreement apply to the land and the development proposed and do not relate only to a specific developer/ applicant. The applicant for planning permission may not be the developer who implements the planning permission. It is not considered the guidance favours one situation over another as the comment seems to imply.
4.21	Object	33/10	Sellwood Planning	It is assumed that where the developer is not known, the Council will not expect an Affordable Housing Statement to be submitted.	Certain principles can be outlined in an Affordable Housing Statement and established in the Section 106 agreement.

ANNEX 2

The Delivery of Affordable Housing (on Development Sites) through the Planning Process Supplementary Planning Document

Schedule of Main Changes to SPD following Public Consultation

NOTE: Revisions to text shown as follows:

Deleted text ~~shown in strikeout~~

Added text shown underlined.

Change No.	Section Para./Page	Change made	Reason
1	2	<p>Add to Introduction the following:</p> <ul style="list-style-type: none"> This Supplementary Planning Document (SPD) should be read in conjunction with Section B4 of the adopted New Forest District Local Plan First Alteration, and in particular policies AH -1 and AH-2. <p>Amend two last points to read:</p> <ul style="list-style-type: none"> <u>This document provides a basis for negotiations.</u> By following the advice given in this guidance the time it takes to determine your planning application will be minimised and the probability of success increased. The District Council is preparing a further statement on the Validation of Planning Applications. which it expects to adopt during 2005. <p>Add note as follows: <u>NOTE: From 1st April 2006, the New Forest National Park Authority will be the local planning authority for the National Park. The District Council will continue to be the strategic housing authority within the National Park area.</u></p>	Clarification and in response to comments
2	Exec. Summary Question 5	<p>Add to end of first para. of response: <u>It is accepted that in flatted developments it may not be practical to achieve dispersion of the affordable units throughout the development.</u></p>	In response to comments
3	Section 1, 1.1	<p>Add to end of first para.: <u>"in New Forest District."</u></p>	Clarification and in response to comments

Change No.	Section Para./Page	Change made	Reason
4	Section 2, 2.1ii	Amend first part of sentence to read: "The housing provided should remain 'affordable housing' in perpetuity (<u>a minimum of 80 years</u>), unless overridden by Statute,..."	Clarification and in response to comments
5	Section 2, 2.3	Amend end of 4 th para. as follows: As with affordable rented housing the aim is to ensure that shared ownership/equity dwellings are managed and part owned by one of the Council's partner RSLs or another affordable housing provider approved by <u>agreed with</u> the Council.	In response to comments.
6	Section 4, Question 3, Example calculation	Delete second example for schemes for 14 or less dwellings and replace with new example as follows: Number of dwellings proposed = 2 Affordable housing requirement = 2 x 35% = 0.7 dwellings Individual Plot value = £60,000 Affordable housing contribution = 0.7 x £60,000 = £42,000 Number of dwellings proposed = 10 Affordable housing requirement = 10 x 35% = 3.5 dwellings 3 dwellings to be provided on site plus a contribution to 0.5 dwellings off-site, calculated as follows: Individual Plot value = £60,000 Affordable housing contribution = 0.5x £60,000 = £30,000	To give an example where on-site provision and an off-site contribution is required.
7	Section 4, Question 10	Amend and add to 4 th para. relating to flatted developments to read as follows: "If a flatted or sheltered housing scheme is being considered, particular consideration needs to be given to how the affordable housing element will be provided within the development. <u>It is accepted that in a flatted development it may not be practical to achieve dispersion of the affordable units throughout the development.</u> In schemes where there is to be a service charge associated with the building, <u>the building should be designed to keep service charges to a minimum for all tenants.</u> For the affordable housing units, <u>the Council's target is to restrict service charges to no more than £250 per annum. Where appropriate Registered Social Landlords will be encouraged to be party to management organisations for flatted</u>	In response to comments

Change No.	Section Para./Page	Change made	Reason
		developments where they have properties.	
8	Section 4, Question 16	<p>Add text to 2nd para. to read:</p> <p>On sites subject to Policy AH-2, where there is an affordable housing requirement, but the proposed development is for fewer than three dwellings a financial contribution will be an acceptable way of contributing to the provision for affordable housing. <u>Since this is the only option in these circumstances, for sites of 1 or 2 dwellings, the off-site contribution will be calculated on the basis of the required on-site provision of the site itself, rather than the combined requirement of the development site and the site on which the affordable housing is to be provided (as would be the case for sites of 3 or more dwellings).</u> The financial contribution must be equivalent to the unconstrained open market residential land value for the number of affordable dwellings required (had they been provided on the application site).</p>	Reconsideration of how off-site contributions should be calculated for sites too small to provide affordable housing on site. (The revision results in a smaller financial contribution from this type of site.)
9	Section 4, Question 16	<p>Insert revised example after revised para. set out in Change 8, as follows:</p> <p>Example of financial contribution in lieu of on-site affordable housing provision for sites of 2 dwellings (Policy AH-2)</p> <p>The contribution is based on the same principles as nil land value for on-site provision.</p> <p>e.g.</p> <p>Number of dwellings proposed = 2 Affordable housing requirement = $2 \times 35\% = 0.7$ dwellings Number of affordable dwellings required if off site provision = $2.7 \times 35\% = 0.95$</p> <p>Open market land value (application site)* = £70,000 per plot (for example) Contribution required = $0.95 \times 0.7 \times £70,000 = £66,500$ 49,000</p> <p><i>* The plot value will be based on that needed to accommodate the type of dwellings proposed in the application, unless that dwelling would not meet an identified housing need in which case the Housing Development Team will determine the basis for the calculation.</i></p>	Reconsideration of how off-site contributions should be calculated for sites too small to provide affordable housing on site. (The revision results in a smaller financial contribution from this type of site.)
10	Section 4, Question 16	<p>Add to end of 3rd para. : <u>In these instances, and subject to the</u></p>	Clarification

Change No.	Section Para./Page	Change made	Reason
		provisions of policies AH-1 and AH-2, the <u>financial contribution may be calculated by adding together the requirement generated by the development site itself and the site upon which the affordable housing would be provided.</u>	
11	Section 4, Question 16	<p>Add new example after para.6 as follows:</p> <p><u>Example of financial contribution in lieu of on-site affordable housing provision for sites of 5 dwellings (Policy AH-2)</u></p> <p><u>The contribution is based on the same principles as nil land value for on-site provision.</u></p> <p>e.g. _____</p> <p><u>Number of dwellings proposed = 5</u></p> <p><u>Affordable housing requirement =</u></p> <p><u>5 x 35% = 1.75 dwellings</u></p> <p><u>Number of affordable dwellings required if off-site provision =</u></p> <p><u>6.75 x 35% = 2.36 dwellings</u></p> <p><u>Open market land value (application site)* = £70,000 per plot (for example)</u></p> <p><u>Contribution required =</u></p> <p><u>2.36 x £70,000 = £165,200</u></p> <p><i>* The plot value will be based on that needed to accommodate the type of dwellings proposed in the application, unless that dwelling would not meet an identified housing need in which case the Housing Development Team will determine the basis for the calculation.</i></p>	Clarification
12	Section 4, Question 18	<p>Insert new para. after para.2, as follows:</p> <p><u>It is accepted that in flatted developments it may not be practical to achieve dispersion of the affordable units throughout the development.</u></p>	In response to comments

ANNEX 3

The Delivery of Affordable Housing (on Development Sites) through the Planning Process

Supplementary Planning Document

November 2005



The Delivery of Affordable Housing (on Development Sites) through the Planning Process

Aims of this Supplementary Planning Document

1. To ensure the effective delivery of new affordable housing to meet local needs.
2. To make best use of the land-use planning system to provide affordable housing.
3. To promote sustainable development by:
 - ensuring quality of design and layout in affordable housing provision.
 - promoting mixed and balanced communities
4. To ensure value for money and the best use of social housing grant and other public funding.
5. To promote a close working relationship between the public, private and voluntary sectors in order to address local housing needs.

NOTE:

Revisions to text shown as follows:

Deleted text ~~shown in strikeout~~

Added text shown underlined.

The Delivery of Affordable Housing (on Development Sites) through the Planning Process

A guide to the implementation of planning policies for affordable housing in New Forest District

- This guidance is supplementary to the New Forest District Local Plan First Alteration and relates to all sites, which under policies **AH-1** and **AH-2** of the New Forest District Local Plan First Alteration are expected to include an element of affordable housing as part of their development.
- This Supplementary Planning Document (SPD) should be read in conjunction with Section B4 of the adopted New Forest District Local Plan First Alteration, and in particular policies AH-1 and AH-2.
- If you are considering making a planning application that includes residential development, it is important to take account of this guidance in making your submission.
- **Landowners, agents and potential developers are strongly advised to discuss affordable housing issues with the local planning authority at an early stage. This will be particularly important if you are considering purchasing a site.**
- Details of the priority housing need to be met, dwelling type and tenure and method of provision are all available from the District Council. The District Council has a strategic overview of the affordable housing needs of the District and developers will be expected to adopt the approach the Council puts forward.
- This document provides a basis for negotiations. By following the advice given in this guidance the time it takes to determine your planning application will be minimised and the probability of success increased.
- The District Council is preparing a further statement on the Validation of Planning Applications. ~~which it expects to adopt during 2005.~~

NOTE: From 1st April 2006, the New Forest National Park Authority will be the local planning authority for the National Park. The District Council will continue to be the strategic housing authority within the National Park area.

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Executive Summary

◆ What is meant by “affordable housing”?

“**Affordable housing** is that provided, with subsidy, for people who are unable to resolve their housing requirements in the local housing sector market because of the relationship between housing costs and incomes.” (New Forest District Local Plan First Alteration Adopted 2005)

Housing Strategy Priorities

1. Rented housing at social (Registered Social Landlord) target rents
2. Shared ownership/equity housing

Affordable housing will normally be provided by a Registered Social Landlord (RSL) (or other approved affordable housing provider) that is party to the New Forest RSL Partnership Agreement. This will ensure that there is an objective and open methodology for providing residents with access to housing (through the Homesearch Register) and high standards of management and tenant participation.

Details are given in section 2 of this guidance.

◆ How many “affordable houses” are required?

The adopted New Forest District Local Plan First Alteration seeks 3.5% of the dwellings on the development site to be affordable dwellings. Schemes providing less than 3.5% affordable housing are unlikely to be considered acceptable.

Details are given in section 4, question 3 of this guidance.

◆ Do all sites have to provide “affordable houses”?

The requirement to provide ‘affordable housing’ as part of a development scheme is set out in policies AH-1 and AH2 of the New Forest District Local Plan First Alteration.

Within the built-up areas of Totton, Marchwood, Hythe and Dibden, Hardley/Holbury, Blackfield and Langley, Lymington, Hordle, Milford on Sea, New Milton, Ringwood and Fordingbridge, and on other land allocated for housing development, affordable housing will be sought on all suitable developments **where 15 or more dwellings** are proposed, or the site is **0.5 hectares or more** in area.

In the villages of Ashford, Ashurst, Bransgore, Brockenhurst, Everton, Fawley, Lyndhurst, Sandleheath and Sway, affordable housing will be sought on **all** suitable new developments involving housing (excluding single replacement dwellings).

Details are given in section 4, questions 1 and 2 of this guidance.

◆ What type and mix of “affordable housing” is required?

Priority is given to the provision of affordable housing for rent (at RSL target rents) through a partner Registered Social Landlord (RSL). Where a site requires more than 10 affordable dwellings to be provided, an element of shared-ownership or equity housing may also be acceptable if this could meet part of the identified housing need in the locality.

It is important that affordable dwellings meet the priority local needs. Normally, this will mean that a range of dwelling types and sizes will be required. Normally the affordable housing element of a site should be of a similar size and character to the market units, unless this would not meet a local need.

Development will be expected to meet Housing Corporation Scheme Development Standards, New Forest Affordable Housing Sustainable Development Framework requirements, Lifetime Homes Standards, achieve an eco-homes very good rating, and meet RSL design brief requirements (which will take account of Housing Quality Indicators).

Details are given in section 2 and section 4, question 5 of this guidance.

◆ **How should residential developments be designed to include “affordable housing”?**

It is both a Government objective and an objective of the Council that efforts be made to create mixed and balanced communities. This includes ensuring that affordable housing is well integrated with market housing and that it reflects the market housing's character. Particularly on larger sites, affordable housing should be distributed individually, or in small groups of no more than 5 dwellings throughout the site, avoiding concentrations in a single location, and with a street level mixing of tenures. Different dwelling tenures should be indistinguishable from each other in terms of appearance. It is accepted that in flatted developments it may not be practical to achieve dispersion of the affordable units throughout the development.

The process of developing a design statement should take account of the need to provide affordable housing.

Details are given in section 4 question 18 of this guidance.

◆ **How is the “affordable housing” provided?**

Affordable housing is provided for by the developer by transferring clean serviced land, or buildings, sufficient to accommodate the required amount of affordable housing, to a Registered Social Landlord or other agreed affordable housing provider at nil-market value. This land should be serviced to the site boundary. Where flats are to be transferred as part of a mixed tenure block the cost should take account of a requirement for the land, & servicing up to the front door, to be at nil cost to the RSL/affordable housing provider.

Clean, serviced land should be transferred to a RSL/affordable housing provider at nil cost.

The RSL/affordable housing provider will then be responsible for the construction of the affordable dwellings. In some cases a build contract may be agreed with the RSL/affordable housing provider for the developer to build the dwellings. In this case this should be through a negotiated build contract or by completed affordable housing being sold to the RSL/affordable housing provider. The price should reflect build costs (rather than value of the dwellings) and exclude the value of the clean serviced land.

Details are given in section 4, questions 8 to 12 of this guidance.

◆ **When is the necessary planning obligation/legal agreement negotiated?**

To speed the planning process, applicants should clarify the Council's requirements in pre-application discussions. A copy of a model draft S.106 agreement used by the District Council can be found at nfdc.gov.uk. A planning application should be accompanied by a statement identifying the draft heads of terms for a Section 106 agreement that will be entered into (or an agreement to use the Council's

model). The terms of any planning obligation/ legal agreement should be agreed prior to the consideration of the planning application by the Planning Development Control Committee.

Details are given in section 4 question 19 of this guidance.

◆ **Are there any exceptions to provision within the development site?**

The full requirement for affordable housing should normally be provided within the development site.

“Off-site” provision will only be considered acceptable in the following exceptional circumstances:

- Where alternative provision is proposed that would allow priority housing needs to be better met. (For example, by increasing the overall number of affordable dwellings to be provided and allowing an early transfer of the land to a RSL), or;
- Where provision “on-site” would necessitate an unacceptable level of alteration to a listed building.

In the exceptional circumstances where off-site provision is acceptable, a developer will be expected to make an equivalent contribution of an agreed number, size and type of affordable dwellings on a different site (or sites). This should be clean, serviced land/ or suitable buildings with planning permission for residential development. The alternative provision should take place within the same town/parish as the principal development.

A financial contribution will not normally be acceptable. It will only be considered in circumstances where the provision of affordable housing (whether by new build or conversion) could not otherwise be provided. For example, where only one or two new dwellings are proposed (as may be the case in Ashford, Ashurst, Bransgore, Brockenhurst, Everton, Fawley, Lyndhurst, Sandleheath and Sway) a financial contribution will be an acceptable way of contributing to the provision for affordable housing.

The financial contribution must be equivalent to the unconstrained open market residential land value for the number of affordable dwellings required (had they been provided on the application site).

Details are given in section 4, questions 15 and 16 of this guidance.

◆ **Will there be any public subsidy available to help fund the affordable housing provision?**

The Council considers that the developer/landowner subsidy for affordable housing provision should be limited to provision of free, clean, serviced land. While in many cases public subsidy will be necessary in order for affordable housing schemes to be built, this is a matter for the Council and RSL/affordable housing provider. In the absence of public subsidy the Council will negotiate with a RSL/affordable housing provider to forward fund the scheme. If this is not possible the land will be banked for affordable housing, or the Council will determine that an alternative form of affordable housing is provided that requires less/no subsidy. The Council aims to ensure that lack of public subsidy does not hold up the development of open market housing on the remainder of the site.

Although build costs will be primarily be a matter for negotiation between the RSL/affordable housing provider and developer, the Council will monitor costs to ensure value for money is being achieved and public subsidy requirements are limited

Details are given in section 4, questions 10 and 15 of this guidance

◆ **What information relating to affordable housing provision proposed should accompany a planning application?**

The planning application should be accompanied by an 'Affordable housing statement'. A draft 'Affordable housing statement' should form the basis for pre-application discussions. This should set out information concerning both the affordable housing and any market housing included in the scheme. It should include the following information:

- the numbers and size of residential units,
- the mix of units with numbers of bedrooms,
- plans showing the location of units and their bedrooms ;
- the gross internal floor space of all units.
- a ' transfer schedule' detailing the transfer arrangements for dwellings/land.
- a statement agreeing to the terms of the affordable housing model S106 agreement
- a plan identifying the land/buildings to be transferred for affordable housing. Where land, e.g. parking spaces, will not be transferred but rights will be granted to affordable housing occupiers details should be provided.

If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained.

In most cases schemes will also require the submission of a 'Design Statement' , in which case the Affordable Housing Statement can be set out as supplementary to the Design Statement. However, all the matters listed above must be addressed.

Details are given in section 4, question 20 of this guidance.

Affordable Housing Checklist	
Action	Notes
Establish affordable housing requirement	Local Plan Policy AH1, AH2
Establish scheme mix & tenure	Priority for affordable (social) rent. Discuss requirements with NFDC
Accept principles set out in model S106	Including nil land value transfer and identification of land to be transferred,
Identify provider/manager & agree details	NFDC partner RSL will be the preferred provider. RSL will be identified by NFDC. Provider/manager must be signatory to NFDC Affordable Housing Partnership Agreement and have agreed to management standards and use of Homeseach Register
Submit design and Affordable Housing Statements as part of pre-application discussions	No affordable housing groups to exceed 5 dwellings, street level mixing, detailed design to meet Housing Corporation Scheme Development Standards, NFDC Sustainable Development Framework, RSL design brief, agreement to model S106
Finalise details for affordable housing	In discussion with NFDC/RSL/affordable housing provider
Submit planning application	Accompany with Affordable Housing and Design Statements & S106 (or agreement to heads of terms)

Section 1: Background Information

1.1 Housing Needs in New Forest District

In 2001 New Forest District Council commissioned DCA Ltd. to undertake a survey to establish the housing needs of the District. The DCA report was updated in 2003, revealing an affordable housing shortfall of 886 units a year in New Forest District.

In addition to the DCA survey, the Homesearch (Housing) Register operated jointly by the District Council and its partner RSLs provides information on people in housing need seeking accommodation in the District. In mid 2005, over 3500 applicants were on the register.

The vast majority of this need is from households who require social rented housing.

1.2 Government Policy on Affordable Housing

The Government has given the planning system a key role to play in securing the delivery of new affordable housing. The Government does not accept that different types of housing and tenure make bad neighbours and it is its policy that mixed and balanced communities should be encouraged.

Planning Policy Guidance Note No.3: Housing (para. 2) states that local planning authorities should:

- plan to meet the housing requirements of the whole community, including those in need of affordable and special needs housing;
- provide wider housing opportunity and choice and a better mix in the size, type and location of housing than is currently available, and seek to create mixed communities.

It states in paragraph 10 that:

The Government believes that it is important to help create mixed and inclusive communities, which offer a choice of housing and lifestyle. It does not accept that different types of

housing and tenures make bad neighbours. Local planning authorities should encourage the development of mixed and balanced communities: they should ensure that new housing developments help to secure a better social mix by avoiding the creation of large areas of housing of similar characteristics.

The importance of the planning system in securing the provision of affordable housing is again emphasised in Circular 6/98 Planning and Affordable Housing:

“A community’s need for affordable housing is a material planning consideration which may properly be taken into account in formulating development plan policies and deciding planning applications.”
(Para.1.)

This advice may be supplemented from time to time by other guidance and ministerial statements. Draft revisions to parts of PPG3 relating to Planning for Mixed Communities were published for consultation in 2005. These draft revisions confirm the importance placed on the planning system for the delivery of affordable housing.

1.3 Changing Lives: New Forest Community Strategy

The Community Strategy considers the affordability of housing as one of the most significant problems facing the New Forest District and highlights the need to increase the supply of affordable housing.

1.4 Development Plan Policies and Local Plan Strategy

The Hampshire County Structure Plan 1996-2011 (Review), and the Adopted New Forest District Local Plan First Alterations (2005), contain policies requiring the negotiation of an element of affordable housing on development schemes which include housing.

The Local Plan's strategy can be summarised as follows:

Taking an integrated approach to promoting a high quality and sustainable environment, which conserves and enhances the District's special environmental qualities, while also addressing the needs of the people who live and work in the District.

This strategy has three main elements:

- i Development restraint
- ii Meeting local needs
- iii Conserving and enhancing the environment.

Under Aim 2: Meeting local needs, the Plan states that it aims to:

"enable local people to find satisfactory housing within the District, with particular help being directed to those who cannot afford to buy on the open market."

While the evidence of need suggests that there would be a justification for every new home provided in the District being affordable housing the Council considers a balanced approach needs to be taken in order to encourage developers to continue to invest in new housing. Consequently, the Council requires 35% of housing on PPG3 sites to be set aside for affordable housing. Policies are set out in Annex 2 of this guidance.

1.5 Housing Strategy

The District Council's Housing Strategy provides a vision for the way in which the housing service is delivered in New Forest District and sets out the Council and communities priorities and objectives for the service. It indicates that the highest priority will be given to the provision of new affordable housing.

The Housing Strategy (2003 -2008) states:

In view of the homelessness problem, the number of households in priority need and local affordability issues, the highest strategic priority is given to the provision of new affordable housing.

Housing Strategy Priorities

- 1 Rented housing at social (Registered Social Landlord) target rents*
- 2 Shared ownership/equity housing*

As with the Local Plan, the Council, as Strategic Housing Authority, aims to meet local housing needs. Priority for affordable housing is given to those who fulfil a local residency qualification, or in rural areas either a local residency or strong local employment qualification. The Council has an open Homesearch (housing) Register from which all nominations for affordable housing are made.

The promotion of sustainable development is one of the core objectives of the Housing Strategy. As part of this objective, and in accordance with Government policy, it aims to promote mixed and balanced communities. Specifically it aims:

To create mixed communities with no more than 5 RSL dwellings to be located together and for street level mixing of tenures to occur. (Housing Strategy (2003-2008)).

It also states:

In view of the scale of the District's affordable housing problem and the priorities set in the Housing Strategy it is important that all suitable sites provide affordable housing. This includes sites which owners and developers propose to be used for sheltered or other specialist housing. (Housing Strategy (2003-2008)).

The provision of general needs affordable housing is afforded a higher priority than the provision of market or affordable sheltered housing.

1.6 Key worker housing

Key worker definition:

An individual primarily employed in the New Forest District who is in housing need, who is unable to afford to meet their needs without some support and whose employment is of particular importance to the New Forest community.

While there is some need for key worker housing, the number of households in need is small compared to other groups.

The Council is working with a range of employers and housing providers to ensure accommodation is available for key workers. While key worker needs are important such provision should not normally be made as a substitute for priority affordable housing types on sites where affordable housing is to be secured through the planning process. Other initiatives will be relied on and developed to meet key worker needs.

The Council will give particular encouragement and assistance to public sector employers to address the needs of their key-workers on their own land holdings, although again this will not be considered as a substitute for priority affordable housing types on sites where affordable housing is to be secured through the planning process.

Section 2: Types of Housing

2.1 Affordable Housing Overview

The District Council use the following definition of affordable housing:

“Affordable housing is that provided, with subsidy, for people who are unable to resolve their housing requirements in the local housing sector market because of the relationship between housing costs and incomes.” (Adopted New Forest District Local Plan First Alteration 2005)

The types of affordable housing which comply with the Council’s affordable housing definition are:

- units for rent through an affordable housing provider (the main group),
- shared ownership, or shared equity, where land value is retained to provide housing for sale at below market levels and where control of the ‘equity discount’ can be retained in perpetuity.

The Housing Strategy priority is for the provision of rented affordable housing at RSL (social) target rent levels.

There are several basic principles that underline the Council’s requirements for affordable housing.

- i. The housing must be occupied by, and affordable to, households unable to address their housing needs in the local housing market. In order to be eligible for affordable housing households must be on the Homesearch Register. This provides a mechanism for objective assessment of an individual’s housing need by the Council as strategic housing authority and an open and accountable way of allocating properties.

All lettings (or in the case of shared ownership/equity – sales) will be made by the Council’s Housing Needs Section in accordance with the Council’s allocations policy. The affordable housing provided should be suitable for occupation by the priority needs group identified by the Council.

The preference is for all affordable dwellings to be owned and managed by one of the Council’s partner Registered Social Landlords (RSLs). All partner RSLs have agreed to take nominations from the Homesearch Register and have agreed to common standards and monitoring procedures. Thus the involvement of a partner RSL will ensure that affordable housing is kept available to meet housing needs identified by the Council and that standards are acceptable.

- ii. The housing provided should remain ‘affordable housing’ in perpetuity (a minimum of 80 years), unless overridden by Statute, and only be available to successive occupiers who also need affordable housing.
- iii. There is a strong preference for affordable housing to be provided on-site.
- iv. The dwellings should be built to standards as set out in the Housing Corporation’s Scheme Development Standards and the New Forest Affordable Housing Sustainable Development Framework (the latter having priority). All schemes should also be built to Joseph Rowntree Foundation Lifetime Home Standards and in accordance with a named RSL/affordable housing provider’s design brief. All schemes will also be subject to assessment using Housing Quality Indicators and should achieve an eco-homes very good rating.
- v. Affordable housing should be indiscernible from other housing and be well integrated with its neighbours. No group should exceed 5 dwellings and a street level mixing of tenures should occur. The affordable housing mix should reflect the size and type of dwellings on the remaining development unless the Council considers housing needs can be better met in an alternative way.

The following types of housing are considered ‘affordable housing’ for the purpose of

implementing Policy AH-1 and AH-2 of the New Forest District Local Plan First Alteration.

2.2 Affordable housing for rent

Housing for rent at RSL target rents is most likely to provide housing which is affordable to the majority of households in housing need. Therefore, in applying its policies for affordable housing provision the Council will be seeking to secure a high proportion of affordable housing in the social rented sector.

2.3 Shared ownership and equity

For the majority of households in housing need, shared ownership and equity housing will not be affordable. However, it does have a limited role to play in addressing the housing needs of some households. This kind of housing also has a role to play in ensuring a range of housing needs are met and in helping to develop mixed and balanced communities.

The Council will normally only accept shared ownership or equity accommodation where a site is of a size that would be required to provide more than 10 affordable dwellings. Sites of such size offer the opportunity to meet these wider needs and objectives while still providing for priority needs groups.

As shared ownership sales values to householders normally reflect market values it will be necessary to carry out an affordability assessment on individual sites to determine whether such dwellings should be provided. An affordability test of 3 x average household income will be used as guide to whether this form of accommodation will be affordable.

As with affordable rented housing the aim is to ensure that shared ownership/equity dwellings are managed and part owned by one of the Council's partner RSLs or another affordable housing provider approved by agreed with the Council.

2.4 Intermediate Rented Housing

This is housing provided by a RSL/affordable housing provider that is targeted at those on the Homesearch Register who are able to afford to pay more than social rents. Rents are typically

75% of market rates. Because of affordability this type of housing will only meet a limited housing need, for instance it may meet the needs of key workers. However this type of affordable housing may be provided where limited public subsidy is available.

**Priority will be given to:
The provision of affordable rented housing at RSL (social) target rents.**

2.5 Other forms of lower cost housing

Other forms of lower cost housing also make a valuable contribution to the local housing market as they increase the range of housing options available. However they will not be regarded as meeting the requirement to provide affordable housing under of Policies AH-1 and AH2

2.6 'Low – cost' (or discounted) market housing

Low-cost market housing (excluding subsidised shared ownership/equity) may be considered to be that which is provided for sale at a price that relates to a mortgage lender's standard multiple of local average earnings. The inclusion of 'lower-cost' market housing will be encouraged in addition to the requirement for affordable housing on residential developments. However, this provision is seen as **additional** to the affordable housing that is required to meet local needs under the affordable housing policies of the District Local Plan. Although these dwellings will be at the cheaper end of the housing market, they are unlikely to be affordable to the households in housing need identified in the Housing Needs and Market Assessment and on the Homesearch Register.

Low-cost market housing will be viewed as additional to, rather than as a replacement for, the affordable housing that is required to meet local needs under the affordable housing policies of the District Local Plan

Section 3: The Suitability of Sites

The Local Planning Authority take the view that in land use terms if a site is suitable for a housing development, then the site is also suitable for the provision of housing which is affordable. The only exceptions to this are sites within defined settlements of over 3000 that fall below the site thresholds set by policy AH-1 in the New Forest District Local Plan First Alteration.

It is important that a developer views the need to provide affordable housing as a key factor in planning how a site is developed. In the same way that a group of trees or access requirements may influence the choice of development proposal, so the need to provide affordable housing should also influence the choice. Increasing the supply of affordable housing is seen as the priority housing need in the District. By discussing the affordable housing needs with the Council at a very early stage it will be possible for a developer to incorporate these needs into their proposal and take account of them in their discussions with landowners.

The need to provide affordable housing should be seen as a fundamental part of the site appraisal and design process, not as an afterthought.

As the highest priority is given to the provision of affordable housing, a developer that proposes a form of residential development that would preclude the on-site provision of required affordable housing is unlikely to receive planning permission.

Section 4: The Delivery of Affordable Housing through the Planning Process

Questions to address when submitting a planning application

Question 1: Is there a requirement to make provision for affordable housing on my site?

Sites where Policy AH-1 applies

In accordance with **Policy AH-1** of the New Forest District Local Plan First Alteration, within the existing built-up areas of Totton, Marchwood, Hythe and Dibden, Hardley/Holbury, Blackfield and Langley, Lymington, Hordle, Milford on Sea, New Milton, Ringwood and Fordingbridge, and on other land allocated for housing development, affordable housing will be sought on all developments **where 15 or more dwellings** are proposed, or the site is **0.5 hectares or more** in area. To assess whether or not the site is over the threshold the GROSS number of dwellings proposed (not the number of additional dwellings), is the determining factor. Likewise, in terms of the site area, it is the total site area, including any part of the site that was previously occupied by residential properties, that determines whether the site is a qualifying site.

Policy AH-1 will be applied to sites capable of delivering 15 or more dwellings in a satisfactory manner, regardless of the number of dwellings actually proposed by the developer.

Site requirements for the provision of affordable housing are set by policy AH-1 of the Local Plan First Alteration. The policy states that the local planning authority's target is to negotiate 35% of dwellings on site to be affordable dwellings. Therefore where it has been assessed that there is a requirement to provide affordable housing as part of the development, then the local planning authority's target is for 35% of the dwellings to be affordable dwellings. No 'allowance' or discount is made for replacement dwellings in this calculation.

In considering whether or not there is a requirement for affordable housing provision, the development potential of any adjoining

land will also be taken into account where the site forms part of a more substantial development or land allocation, or where adjoining land is within the control of the developer and suitable for residential development. This is to discourage sites coming forward on a piecemeal basis as a way of avoiding the provision of affordable housing. In such circumstances the potential of the adjoining land will be taken into account when determining whether there is a requirement for affordable housing because the potential scheme in its totality would be above the site threshold set in policy AH-1. However, the number of affordable dwellings required for each part of the total development site will be calculated at 35% of the actual number of dwellings proposed on each application site.

Sites where Policy AH-2 applies

In accordance with **Policy AH-2** of the New Forest District Local Plan First Alteration, in the villages of Ashurst, Bransgore, Brockenhurst, Everton, Fawley village and Lyndhurst, Sandleheath and Sway, affordable housing will be sought on all housing developments (excluding schemes for a single replacement dwelling).

Site requirements for the provision of affordable housing are set by policy AH-2 of the Local Plan First Alteration. The policy states that the local planning authority's target is to negotiate 35% of dwellings on site to be affordable dwellings. Therefore where it has been assessed that there is a requirement to provide affordable housing as part of the development, then the local planning authority's target is for 35% of the dwellings to be affordable dwellings. No 'allowance' or discount is made for replacement dwellings in this calculation. (Schemes for a single replacement dwelling are exempt from policy AH-2).

In the **smaller undefined settlements** in the District planning policies do not allow new housing development, except schemes providing 100% affordable housing for local needs (rural exception schemes).

If you are still in doubt, contact the Development Control or Housing Development Teams for advice.

Question 2: Is the provision for affordable housing optional?

No. It is a requirement of the adopted Development Plan. Failure to make appropriate provision for affordable housing on sites where there is a requirement for its provision under the policies in the New Forest District Local Plan is very likely to result in a refusal of planning permission. To develop a suitable site for housing without including affordable housing will harm the District's ability to meet its affordable housing needs.

S54A of the Town and Country Planning Act 1990 states:

Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Question 3: I think affordable housing provision will be required, how much will I need to provide and what do I do next?

The local planning authority is unlikely to find acceptable a scheme which provides for less than 35% of dwellings to be affordable dwellings. Guidance on what type of dwellings would be most appropriate for meeting the housing need in a particular area will be given by the Housing Development Team. In general the dwellings provided should be of a similar size and type to the market dwellings included in the scheme, unless alternative accommodation would better meet housing needs.

How to deal with a requirement for a 'fraction' of a dwelling

In many cases, when calculating how many dwellings the 35% target number of affordable dwellings on a site represents the outcome will not be a whole number. In such cases the following methodology will be adopted.

On schemes for 15 or more dwellings, where the calculation results in a residual of 0.5 or more of a dwelling, the number of dwellings to be provided should be **rounded-up** to the nearest whole dwelling

e.g. $30 \times 35\% = 10.5$ dwellings.
Council's target = 11 affordable dwellings.

Where the calculation results in a residual of less than 0.5 of a dwelling, the calculation should be **rounded-down** to the nearest whole dwelling.

e.g. $18 \times 35\% = 6.3$ dwellings.
Council's target = therefore 6 affordable dwellings.

On schemes for 14 or less dwellings (in the Ashurst, Bransgore, Brockenhurst, Everton, Fawley village and Lyndhurst, Sandheath and Sway), a pro-rata financial contribution will be sought for any residual requirement for a fraction of a dwelling.

The contribution is based on the same principles as *nil land value* for on-site provision.

e.g. ~~Number of dwellings proposed = 2~~
~~Affordable housing requirement =~~
 ~~$2 \times 35\% = 0.7$ dwellings~~
~~Individual Plot value = £60,000~~
~~Affordable housing contribution =~~
 ~~$0.7 \times £60,000 = £42,000$~~
Number of dwellings proposed = 10
Affordable housing requirement =
 $10 \times 35\% = 3.5$ dwellings
3 dwellings to be provided on site plus
a contribution to 0.5 dwellings off-site,
calculated as follows:
Individual Plot value = £60,000
Affordable housing contribution =
 $0.5 \times £60,000 = £30,000$

The plot value will be based on that needed to accommodate the type of dwellings proposed in the application, unless that dwelling would not meet an identified housing need in which case the Housing Development Team will determine the basis for the calculation.

Question 4: Can't I just build some small, cheaper dwellings as part of the scheme?

No, this will not be 'affordable' housing in the terms of the Local Plan policy, as even this is unlikely to be affordable to those whose housing needs the affordable housing policies seek to address. However, the local planning authority welcomes and encourages the inclusion of smaller dwellings on housing schemes. (See Policy DW-E2: Density and Mix of Housing Development)

Question 5: So what sort of housing is the Council seeking?

Priority is given to the provision of affordable housing for rent (at RSL target rents) through a partner Registered Social Landlord (RSL). Where a site requires 10 or more affordable dwellings to be provided, an element of shared-ownership or equity housing may also be acceptable if this could meet part of the identified housing need in the locality. The Housing Development Team will be able to advise you on this matter. You will be expected to provide affordable housing of the type and tenure advised. All dwellings must be provided in accordance with the Housing Corporation's Scheme Development Standards, the RSLs design brief, the Council's Sustainable Development Framework and any other guidance that may be produced. All these can be made available at an early stage.

In most areas there is a high need for 1,2 and 3 bed houses and flats. In some areas there is a need for larger dwellings and for bungalows. The affordable housing will be expected to reflect the character of the market housing in terms of dwelling size and local housing needs. While the Homesearch Register generally shows the highest need is for smaller accommodation, 3 bed accommodation will often be sought as an element of the provision

in order to create a balance of provision and to free up over-occupied smaller dwellings.

Question 6: Who will live in the affordable housing provided?

Households on the New Forest District Home Search Register will be eligible for affordable housing provided. The District Council's HomeSearch Allocations policy may be viewed at:

[media/adobe/9/8/Alloc - policy 1.pdf](#). The Council will retain nomination rights on occupancy of the housing.

Question 7: Can I provide key-worker housing as an alternative?

Affordable housing for key-workers is part of a wider local housing need. Key workers in housing need can apply for housing via the Homesearch Register. Specific schemes for key-worker housing are not normally seen as a substitute for housing that meets priority needs within the locality.

Question 8: Do I have to actually build the affordable housing?

This will be a matter for discussion between the developer, RSL and the Council. In some cases it may be appropriate for clean and serviced land* to be transferred to an RSL, in other cases it may be more appropriate for a build contract to be agreed with the RSL for the developer to build out the dwellings. In the latter case the developer will be paid by the RSL for construction work undertaken on their behalf.

(* Clean and serviced land is defined as land where provision is made to the boundary of the site for: all services necessary for the development (electricity, gas, water, sewerage, lighting etc) and connection costs; infrastructure (roads, footpath, boundary walls etc.); and where applicable demolition, clearance, decontamination (including vegetation such as Japanese Knotweed) and archaeological investigation costs. Developers will be required to ensure that local planning authority requirements with respect to

ecological constraints (e.g. badgers) have been complied with. In the case of flats in a mixed tenure block all services should be provided at nil cost to the RSL/affordable housing provider up to the front door of each dwelling).

Question 9: How do I find an RSL to work with?

It is important that an RSL is involved as a partner in the project at an early stage. You should approach the Housing Development Team who will select one of its partner RSLs to work on a particular site. In selecting the RSL account will be taken of issues such as their local stock, their current performance, and their ability to deliver a scheme in accordance with a developers programme.

The Council's strong preference is for affordable housing to be provided and managed by a RSL. If an alternative owner/landlord is proposed it is important that they are:

- Accepted by the Housing Corporation as an appropriate provider;
- Agree to the terms of the New Forest RSL Partnership Agreement and agree to accept all nominations for all properties from the Homesearch Register.
- Agree to meet the standards and requirements set out in the Council's model S106 Agreement.
- Agree with the Council standards for tenant participation, management and community development.

The District Council will only provide grant funding, or support bids for Housing Corporation funding, to partner RSLs which it has agreed should work on particular sites.

Question 10: How much is it going to cost?

Because of the wide gap between local house prices and local incomes, for the foreseeable future the only housing that is likely to meet the affordable housing need is housing provided via a subsidy that significantly reduces the cost of its provision. In view of the limited

availability of social housing grant, increasing building costs and the scale of housing need, it is expected that a part of this will be as a landowner/ developer subsidy. To facilitate development this subsidy will take the form of making clean and serviced land available for affordable housing at nil-value.

The Council considers that the developer/ landowner subsidy for affordable housing provision should be limited to provision of free, clean, serviced land. While in many cases public subsidy will be necessary in order for affordable housing schemes to be built, this is a matter for the Council and RSL/affordable housing provider. In the absence of public subsidy at a point in time, the Council will negotiate with a RSL/affordable housing provider to forward fund the scheme. If this is not possible the land will be banked for affordable housing, or the Council will determine that an alternative form of affordable housing is provided that requires less/no subsidy. The Council aims to ensure that lack of public subsidy does not hold up the development of open market housing on the remainder of the site.

Although build costs will be primarily be a matter for negotiation between the RSL/affordable housing provider and developer, the Council will monitor costs to ensure value for money is being achieved and public subsidy requirements are limited. Where completed units are to be sold to a RSL/affordable housing provider this should be at a value that relates to build cost rather than their value. The RSL will be expected to pay an equitable share of any planning contributions that may be required, for example for public open space.

If a flatted or sheltered housing scheme is being considered, particular consideration needs to be given to how the affordable housing element will be provided within the development. It is accepted that in a flatted development it may not be practical to achieve dispersion of the affordable units throughout the development. In schemes where there is to be a service charge associated with the building, the building should be designed to keep service charges to a minimum for all tenants. For the affordable housing units, the Council's target is to restrict service charges to no more than this will be capped at £250 per

annum. Where appropriate Registered Social Landlords will be encouraged to be party to management organisations for flatted developments where they have properties.

Clean, serviced land should be transferred to a RSL/affordable housing provider at nil cost.

Developers and prospective land purchasers are strongly advised to take into account the Council's land at nil-value policy when negotiating site acquisitions and valuing land.

Remember - If you are buying a site with a view to developing it, the price you pay for the site should take into account the costs you will have to bear in relation to the provision of affordable housing, as well as other development costs.

Question 11: What long term restrictions will be put on the occupancy of the affordable housing?

A planning agreement will ensure that all housing remains available for affordable housing in perpetuity (minimum 80 years) unless this provision is over-rid den by statute, for instance Right to Acquire.

Question 12: What will the mechanism be for requiring the transfer of the affordable housing land or buildings?

A planning obligation will require the transfer of the land or buildings before the occupation of more than 25% of the open market dwellings. On large sites where development is in phases this will apply for each phase. The land/buildings should be transferred freehold to the RSL. In the case of flats a lease of 125 years may be agreed.

Question 13: I do not think affordable housing is compatible with the type of development I wish to build. Am I still expected to provide affordable housing?

Sites where a developer proposes some form of specialist housing development, such as sheltered housing schemes or 'executive' housing, will be required to include an element of affordable housing in accordance with Local Plan policies. The Local Planning Authority's requirement for an element of affordable housing to be provided within a development site will need to be taken into account and designed for by the developer from an early stage. The local planning authority will not accept the view that a site is unsuitable for affordable housing because affordable housing is not compatible with the type of development proposed by the developer.

There will normally be a variety of ways in which a site can be satisfactorily developed for housing. The developer's decision on the form of development to be proposed should take into account the need to accommodate affordable housing **on the site**. The priority is for the inclusion of affordable housing within a scheme and the developer's choice of scheme cannot be allowed to compromise this. A developer's preference for a certain form of development will not override a need to provide affordable housing. If a developer finds that it is not possible to accommodate the required element in a satisfactory manner within their scheme, they will be expected to reconsider the form of development proposed on the site.

The need for affordable housing is given higher priority than the need for any other form of housing in the District.

Question 14: What will happen if the requirement for affordable housing, together with other requirements of the local planning authority (for example, highway/ open space contributions) makes the development proposed on the site unviable?

The purchase price for any site should take into account the full costs of developing the site in accordance with local planning policies. Provision of affordable housing on the site is a known requirement. Exceptionally circumstances may arise where additional development costs arise which could not

reasonably be foreseen at the time of site acquisition and which compromise the viability of the proposed development. In such cases an 'open book' approach will be taken to establish the extent of the case, and used as a basis for negotiating agreement on affordable housing where necessary to secure an appropriate scheme for the site.

Question 15: Are there any circumstance when the Local Planning Authority would accepted an alternative to on-site provision of affordable housing?

Development land is a scarce resource in New Forest District. The Government and District Council have a **strong preference** that the affordable housing provision negotiated as part of a development scheme should be provided on site.

PPG3 Housing (para.17) states:

"Where a local planning authority has decided, having regard to the criteria set out in paragraph 10 of Circular 6/98, that an element of affordable housing should be provided in development of a site, there is a presumption that such housing should be provided as part of the proposed development of the site."

In exceptional circumstances where, in the opinion of the Council, off-site provision will allow housing needs to be better met, the Local Planning Authority may allow a developer to make an equivalent contribution of serviced land with planning permission for residential development (allowing provision of the agreed number, size and type of affordable dwellings) on a different site. The alternative provision should take place within the same town/parish as the principal development.

There may also be special cases where it is agreed by both the local planning authority and the developer that part of the provision will be made on-site and part off-site. Again this will only be appropriate where in the opinion of the Council this will allow housing needs to be better met.

"Off-site" provision will only be considered acceptable in the following exceptional circumstances:

- Where alternative provision is proposed that would allow priority housing needs to be better met. (For example, by increasing the overall number of affordable dwellings to be provided and allowing an early transfer of the land to a RSL), or;
- Where provision "on-site" would necessitate an unacceptable level of alteration to a listed building.

As a fundamental principle, any off-site provision that is permitted should result in dwellings which are at least of an equivalent standard to on-site provision and should not increase costs for the RSL, Council, Housing Corporation or any other public funding body. Any contribution should also reflect the increased developer profit realised by the additional market dwellings that can be provided on site.

The location of any alternative provision and mechanism for provision must be agreed with the Council. It is important that offsite provision does not compromise the aim of achieving mixed and balanced communities. It will not normally be acceptable to provide alternative land or dwellings in areas where there is already a high concentration, or perceived concentration, of affordable housing. There should be certainty that the required affordable housing development can be undertaken on the alternative site. The land/building should, therefore, have the required planning permission and be in the control of the applicant. If the site does not already have a valid planning permission, such a permission should be sought concurrently with the application for permission for the main development site.

The identified site should be transferred to the RSL selected by the Council at nil-cost. The developer will be expected to meet the costs of servicing the site up to its boundary and ensuring the site is free from any contamination.

The Council will not look favourably on offers by a developer to buy into the existing housing stock as a way of providing affordable housing off-site, particularly if it is proposed to purchase into the existing supply of smaller and 'first-time buyer' type market dwellings. By doing so

the overall supply of smaller cheaper dwellings in the local housing market would be reduced. In terms of meeting overall housing needs in the District it is important that the existing pool of such dwellings is retained and not being competed for by both first time buyers and RSLs. However, the conversion of larger properties to provide affordable housing may be considered more favourably.

Where the affordable housing requirement for a development site would be for 15 or more affordable dwellings (i.e. 35% of 42 dwellings), if the affordable housing provision is to be made 'off-site' then the affordable housing requirement will be calculated on the basis of the dwelling capacity of the sites combined. An example is given below:

Examples of Affordable Housing requirement calculation:

In areas subject to policy AH-1

Scheme for 50 dwellings

With on-site provision

50 x 35% = 18 affordable dwellings required.

With off-site provision

If affordable dwellings to be provided off-site – total no. of dwellings in the scheme is 68.
68 x 35% = 24 affordable dwellings required.

Examples of Affordable Housing requirement calculation:

In areas subject to policy AH-2

Scheme for 5 dwellings

With on-site provision

5 x 35% = 1.75 affordable dwellings required.
1 dwelling provided on site plus financial contribution for 0.75 dwellings

With off-site provision

5 x 35% = 1.75 affordable dwellings required.
If affordable dwellings to be provided off-site – total no. of dwellings in the scheme is 6.75.
6.75 x 35% = 2.4 affordable dwellings required. 2 dwellings in kind provided on different site plus financial contribution for 0.4 dwellings.

provision of affordable housing would be acceptable?

A financial contribution will normally only be acceptable in circumstances where this would actually result in the provision of affordable housing (whether by new build or conversion) identified by the local planning authority which could not otherwise be provided.

On sites subject to Policy AH-2, where there is an affordable housing requirement, but the proposed development is for fewer than three dwellings a financial contribution will be an acceptable way of contributing to the provision for affordable housing. Since this is the only option in these circumstances, for sites of 1 or 2 dwellings, the off-site contribution will be calculated on the basis of the required on-site provision of the site itself, rather than the combined requirement of the development site and the site on which the affordable housing is to be provided (as would be the case for sites of 3 or more dwellings). The financial contribution must be equivalent to the unconstrained open market residential land value for the number of affordable dwellings required (had they been provided on the application site).

Example of financial contribution in lieu of on-site affordable housing provision for sites of 2 dwellings (Policy AH-2)

The contribution is based on the same principles as *nil land value* for on-site provision.

e.g. Number of dwellings proposed = 2

Affordable housing requirement =
2 x 35% = 0.7 dwellings

~~Number of affordable dwellings
required if off site provision =
2.7 x 35% = 0.95~~

Open market land value (application site)* = £70,000 per plot (for example)

Contribution required =

~~0.95~~ 0.7 x £70,000 = £66,500 49,000

**The plot value will be based on that needed to accommodate the type of dwellings proposed in the application, unless that dwelling would not meet an identified housing need in which case the Housing Development Team will determine the basis for the calculation.*

Question 16: Are there any circumstances when a financial contribution towards the

Elsewhere, only in very exceptional circumstances will the District Council be prepared to accept a financial contribution towards the provision of affordable housing. It should allow the Council to better meet affordable housing needs. A decision on whether financial contributions should be accepted will be a decision that is taken by the Council as part of its overall strategy for the delivery of affordable housing, rather than an ad-hoc one taken on individual sites. In these instances, and subject to the provisions of policies AH-1 and AH-2, the financial contribution may be calculated by adding together the requirement generated by the development site itself and the site upon which the affordable housing would be provided.

Any financial contribution shall be sufficient to enable a Registered Social Landlord to provide the agreed number, size and type of affordable dwellings on another site.

The level of contribution must be equal to the unconstrained open market residential land value of the identified site, or the equivalent value (for the required number of affordable dwellings) of the application site, whichever is the greater.

In view of the rapid house and land price inflation (currently well above that of the Retail Price Index) it is important that any financial contribution is linked to an appropriate local house price index (e.g. Nationwide House Price Index). The contribution made will need to be increased in line with this index should it show a rise between the time the contribution was agreed and the time it is due to be made.

Example of financial contribution in lieu of on-site affordable housing provision for sites of 5 dwellings (Policy AH-2)

The contribution is based on the same principles as nil land value for on-site provision.

e.g. Number of dwellings proposed = 5
Affordable housing requirement =
5 x 35% = 1.75 dwellings
Number of affordable dwellings
required if off-site provision =
6.75 x 35% = 2.36 dwellings

Open market land value (application site)* = £70,000 per plot (for example)
Contribution required =
2.36 x £70,000 = £165,200

**The plot value will be based on that needed to accommodate the type of dwellings proposed in the application, unless that dwelling would not meet an identified housing need in which case the Housing Development Team will determine the basis for the calculation.*

Question 17: I only intend to submit an outline planning application at this stage. Do I still need to address the issue of affordable housing?

Yes. A planning obligation will be used to ensure that the agreed proportion of affordable housing will be provided and the terms under which it should be provided. Depending on the scale of development the obligation may require/ include details of phasing/location of the affordable housing in order to ensure there is no over concentration of affordable housing in a small number of phases.

Question 18: How do I design my site to best incorporate the affordable housing?

It is both a Government objective and an objective of the District Council that efforts be made to create mixed and balanced communities. This includes ensuring that affordable housing is well integrated with market housing and that it reflects the market housing's character. Particularly on larger sites, affordable housing should be distributed in small groups of dwellings throughout the site, avoiding concentrations in a single location.

Normally groupings of RSL rented dwellings should be no greater than 5. Developers should also seek to achieve a street level mix of dwellings of different types and tenures, for instance by ensuring different types and tenures face each other across a street.

It is accepted that in flatted developments it may not be practical to achieve dispersion of

the affordable units through out the development.

It is important that affordable dwellings meet the priority local needs. Normally, this will mean a range of dwelling types are required. The affordable housing element of a site should reflect the size and characteristics of the market units, unless this would not meet identified needs. It will not be acceptable for developers to attempt to minimise the affordable housing land take by proposing small, high density affordable dwellings, unless this meets the priority local need identified by the Council.

The design requirements of the Housing Corporation and RSL must be taken into account in designing a scheme. The dwellings should be built to standards as set out in the Housing Corporation's Scheme Development Standards and the New Forest Affordable Housing Sustainable Development Framework (the latter having priority). All schemes should also be built to Joseph Rowntree Foundation Lifetime Home Standards and in accordance with a named RSL/affordable housing provider's design brief. All schemes will also be subject to assessment using Housing Quality Indicators and should achieve an eco-homes very good rating.

Question 19: Will a planning obligation be required?

Yes. It is normal practice to secure the provision of affordable housing which is negotiated as part of a private development through a legal agreement (known as a 'Planning Obligation') under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended). The cost of drawing up such an agreement will be met by the applicant. A model draft agreement can be found at nfdc.gov.uk. A planning application will not be considered by the Planning Development Control Committee in the absence of an appropriate draft agreement.

Question 20: What information do I have to provide when submitting a planning application on a site where there is a requirement for affordable housing?

Your planning application can be dealt with much quicker if you have already considered how you intend to make the necessary provision for affordable housing before submitting your planning application. Prior to submission there should have been detailed discussions with the local planning authority, and Housing Development Team about what affordable housing is to be provided and the mechanisms by which it is to be delivered.

The planning application should be accompanied by an 'Affordable housing statement'. A draft 'Affordable housing statement' should form the basis for pre-application discussions. This should set out information concerning both the affordable housing and any market housing included in the scheme. It should include the following information:

- the numbers and size of residential units,
- the mix of units with numbers of bedrooms,
- plans showing the location of units and their bedrooms;
- the gross internal floor space of all units.
- a 'transfer schedule' detailing the transfer arrangements for dwellings/land.
- a statement agreeing to the terms of the affordable housing model S106 agreement
- a plan identifying the land/buildings to be transferred for affordable housing. Where land, e.g. parking spaces, will not be transferred but rights will be granted to affordable housing occupiers details should be provided.

If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained.

In most cases schemes will also require the submission of a 'Design Statement', in which case the Affordable Housing Statement can be set out as supplementary to the Design Statement. However, all the matters listed above must be addressed.

If the dwellings are to be provided off-site then a statement setting out the details of the justification for this and how this will be

achieved should be included. In such cases it is advised that early discussions are undertaken with the Local Planning Authority so that a more bespoke S106 Agreement can be produced.

Question 21: What happens if the developer of the land is not known?

In cases where planning permission is sought but the potential developer of the site is not

known, when granting planning permission a Section 106 agreement will be negotiated which will secure the provision of appropriate affordable housing provision which is ready and available for letting/occupation prior to the occupation/sale of more than 25% of the general market units. This agreement will be binding on any future developer of the site, and will need to be taken in account when the site is sold to a developer.

Appendix 1

Contacts

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Policy and Plans Team

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New Forest National Park Authority

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References

Adopted New Forest Local Plan (First Alteration)	NFDC	nfdc.gov.uk
Model S106 Agreement	NFDC	nfdc.gov.uk
New Forest Housing Strategy 2003-8	NFDC	nfdc.gov.uk
New Forest Affordable Housing Sustainable Framework	NFDC	Contact NFDC Housing Development Team
Scheme Development Standards	Housing Corporation	housingcorp.gov.uk
Sustainability Toolkit	Housing Corporation	housingcorp.gov.uk
Standards & Quality in Development	National Housing Federation	housing.org.uk
Meeting Part M and Designing Lifetime Homes	Joseph Rowntree Foundation	jrf.org.uk
Housing Quality Indicators	DETR	odpm.gov.uk
EcoHomes:the environmental rating for homes The Green Guide to Housing Specification	BRE	breeam.org/ecohomes.html

Appendix 2

Dwelling Size Requirements

In planning for new development it is important that there is the flexibility to meet current and future housing needs. For this reason it is important that 1 bed dwellings are able to accommodate 2 people, 2 beds 4 people, 3 beds 5 people etc. as indicated below.

Bedroom Numbers	Occupancy	Floorspace
1	2	51 sqm
2	4	76 sqm
3	5	86 sqm
4	6	101 sqm
4	7	116 sqm

Source: Housing Quality Indicators (Version 3) 2005

While absolute floorspace is an important determinant of suitability it is also necessary to consider how the layout of individual dwellings affects the comfort and convenience of occupiers.

In assessing individual schemes regard will be had to matters such as circulation space and space for furniture. Account will also be taken of relevant guidance including Housing Corporation Scheme Development Standards, National Housing Federation Standards and Quality in Development, ODPM Housing Quality Indicators and Joseph Rowntree Foundation Lifetime Homes Standards.