

West Wiltshire District Council

Cabinet

5 May 2004

Affordable Housing Supplementary Planning Guidance

1. Purpose

To report responses received to public consultation and to recommend adoption of the affordable housing supplementary planning guidance

2. Background

On 11 February 2004 Cabinet approved the draft affordable housing supplementary planning guidance (SPG) for the purposes of development control and for the purposes of public consultation.

A period of public consultation was held between 20 February 2004 and 2 April 2004. Responses were received from 14 organisations and individuals.

3. Key Issues arising from public consultation

Set out in Appendix 1 is a schedule of all comments received during the period of public consultation. The schedule includes a summary of the contents of the comments and a recommended Council response to each comment, including recommended changes to the SPG where appropriate.

Whilst welcoming the intention of the draft SPG to add clarity to the policies in the District Plan 1st Alteration, a number of concerns have been raised by consultees.

Policy requirements are delaying or preventing the development of sites, particularly in town centres;

The guidance in the draft SPG provides a mechanism for resolving the policy requirement where financial viability is at issue. An open book exercise offers a way forward to resolve affordable housing issues and offers a way for the developer to influence the process of assessing financial viability. The open book test should not delay development but offers a way of facilitating it.

The SPG is too prescriptive and inflexible;

The SPG is neither unduly prescriptive nor inflexible and introduces procedures by which negotiations can be concluded. The proportion of affordable housing to be provided is "up to 30%" in towns and "up to 50%" in villages, depending upon need, site suitability and the economics of provision which will be determined on a site by site basis. Although the SPG explains in detail the Council's preferred approach to delivery, other arrangements will be considered.

The SPG covers issues such as tenure and land valuation which are not proper planning matters;

The Council has a preferred approach towards tenure based upon housing need, but the policy and the SPG are not prescriptive and each site will be considered on a site by site basis. Land valuation issues lie at the heart of the financial viability of a site. The Council has to assess the suitability of a site for affordable housing and the economics of provision. An open book exercise enables the developer to influence that process. All developers are treated equally and sites are considered on a site by site basis. Developers have asked the Council to take such issues into account.

The Council's preferred approach of delivery with nil public subsidy is unreasonable;

The Council is seeking to meet affordable housing needs through the funding which is available. The Council's preferred approach has evolved to reflect changes to Government funding. Financial viability will be assessed and a solution developed on a site by site basis.

Developers should be free to choose which partners they work with;

Most development currently takes place through the Preferred Development Partnership and it is expected that this will continue. However, the Council cannot insist that a developer work with a particular RSL partner and the Council will consider other partners should it be thought that they are better able to deal with a specific project.

The SPG is incomplete and the missing items should be subject to further public consultation.

Tables 1 and 2 will include purely indicative figures and are not intended to be definitive. These will be published with the final SPG. Appendix 3 will include a specimen instruction to an open book valuer for information purposes only. Each case will be concluded on a case by case basis and the methodology for the open book test will be agreed between parties. It is recommended, however, that further consultation should take place on the contents of Appendices 4 and 5, which are yet to be developed.

Environmental Implications

The guidance is intended to contribute towards the delivery of the Council's housing strategy, in particular to ensure that local people have opportunities to buy and rent housing at a price they can afford. Provided that planning applications are determined having regard

to the contents of the guidance, the document will have a positive impact on the local environment by helping to create sustainable, mixed and balanced communities.

4. Options

Cabinet has approved the production of SPG to explain and clarify the ways in which planning policies contained within the District Plan 1st Alteration will be implemented. At this stage, Cabinet can choose to amend the document as appropriate and adopt the document as Supplementary Planning Guidance.

5. Key Decisions

Statement of reason for key decision	To be taken into account in the consideration of planning applications supplementary planning guidance should be subject to adoption by the District Council.
Options considered and rejected	To rely on the general planning policy to deliver affordable housing in West Wiltshire.
Date of Implementation	Once the District Plan 1 st Alteration has been adopted, this SPG becomes a significant material consideration.

6. List of Background Papers

File Ref: Affordable Housing

File Location: Planning Policy and Conservation Section

7. Recommendation

It is recommended that Cabinet:

- (i) approves the recommended responses of this Council to each of the comments received, as set out in appendix 1;
- (ii) adopts the Affordable Housing Supplementary Planning Guidance, as amended, to take effect on the adoption of the District Plan 1st Alteration. .

Plain English Guidance Given †

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List of Appendices

Appendix 1: Responses received to consultation