

APPENDIX B

REPRESENTATIONS RECEIVED IN PUBLIC CONSULTATION PERIOD 18TH FEB TO 18TH MARCH ON DRAFT INTERIM AFFORDABLE HOUSING POLICY AND LEEDS CITY COUNCIL RESPONSE

| Rep No and details | Support /object | Comments made | LCC response | Change to Interim Policy proposed |
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| External | | | | |
| Developers, consultants etc: | | | | |
| 1. Carter Jonas | Support/ Object | <p>Support: The policy overall is a pragmatic response to the current economic situation. Support for reduction in the proportion of on site affordable provision i.e. 15% of something is better than 30% of nothing. The policy should be introduced as quickly as possible but clarity should be provided by reference to introduction, duration and circumstances for review.</p> <p>It is appropriate that the Council progresses identification and release of housing sites across the district to deliver housing in places where people want to live.</p> <p>Object: It is counterintuitive to increase the percentage target in the outer area/rural north. This should be reduced to 20% maximum. Affordability is a District wide issue, particularly in the 'Golden Triangle' area.</p> <p>Viability: Each application should be considered on a site by site basis. Some clarity is required in the document as to where other obligations may be relaxed to secure affordable housing.</p> | <p>It is recommended that the policy be introduced immediately (ie upon approval at Executive Board, allowing for the call in period after 18th May meeting). The new policy would therefore apply to any decisions made on or after 1st June.</p> <p>It will apply until replaced by the Affordable Housing Supplementary Planning Document (SPD), anticipated in 2012/13 unless there is clear evidence of a change in market circumstances to warrant any further change in the meantime.</p> <p>Permissions granted on the basis of the interim policy will be time limited to 2 years implementation where appropriate to ensure that permissions are implemented reasonably swiftly, and to reflect the fact that the affordable housing policy will be reviewed through the Core Strategy and SPD.</p> <p>The Council has not yet commenced its Site Allocations Development Planning Document (DPD). This will follow on from the Publication Draft Core Strategy (anticipated Autumn 2011).</p> <p>The DTZ Economic Viability Assessment (EVA) concluded that within the Golden Triangle area in the current market it is viable to provide between 15 and 40% affordable housing. 35% is therefore considered a realistic target to adopt, given that an individual viability appraisal may be submitted by applicants which may verify reduction from the target.</p> <p>Where full S106 contributions cannot be achieved on specific applications and a viability appraisal has been submitted and verified, the priority for relaxing one or more contribution will be decided on individual merits and priorities in areas.</p> | <p>Clarify when the policy will be applied from and until when.</p> <p>Provide detail in the policy to ensure that consideration is given to time limiting permissions.</p> <p>No change proposed to Golden Triangle/Outer Area-Rural North percentage target of 35%.</p> <p>Clarify in the text that the policy is flexible in that it will allow for site specific negotiations based on individual viability appraisals – if verified, the Council may reduce the affordable housing</p> |

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| | | | | targets or reduce other S106 contributions in lieu of reduction in affordable housing. Priorities for relaxing other S106 contributions will be decided on a case by case basis. |
| 2. Drivers Jonas Deloitte | Support | Support the identification of Horsforth and surrounding areas as 'Outer Suburbs'. Support the reduction in affordable housing in 'Outer Suburbs' to 15%. This is appropriate in the current economic climate. Developers may be more inclined to propose housing with a reduced affordable housing contribution, so this would assist in responding to the demand to meet local housing needs in Leeds. The overall economy will benefit from job creation & investment in wider infrastructure by creating conditions which will encourage delivery of housing. Split in intermediate/social rented housing should be reviewed on a case by case basis but suggest a 75:25 split. | Tenure split will be considered when the SPD is revised and was not the subject of this consultation. Tenure splits in current policy therefore remain. However, they may be reviewed where individual viability appraisals verify a different approach or there is clear local evidence | No change to policy proposed. |
| 3. Barton Wilmore for White Laith Developments. Land at Whinmoor, housing allocation H3-3A.33 | Support/ Object | The councils approach Support the immediate reconsideration of the affordable housing policy in the light of the current economic climate. Evidence base Reserve right to comment further when we see the SHMA update. Revised Percentages The policy for the Outer Area is based on high value areas within the Outer Area, not on middle or lower value outer areas. Comments Support the principle of reduction in targets from 30% to 15% for the Inner & Outer Suburbs but the policy should be more flexible and subject to further considerations of viability on a site by site basis in reference to these targets. Economic Viability Assessment Concern about the evidence base and lack of clarity about how many sites were used to come up with a low figure of £2104 per dwelling and how developed to take account of other obligations sought by the council. | The SHMA update 2011 will inform the future Affordable Housing SPD. This is correct, but boundaries of these areas were not defined – a range of beacon sites/areas were tested. The modelling assumes all other S106 costs are included & as the DTZ report states because it is strategic modelling, there will be sites within areas tested where different levels of affordable housing can be achieved in practice – individual viability appraisals can be submitted where viability is still an issue. The ability to submit individual viability appraisals on a case by case basis allows for flexibility in applying the targets. This will be detailed in the policy. The figure was based upon actual S106 costs achieved on applications in the previous 6 months. For the height of the market position full S106 costs were applied – these went up to £8,636 per unit – see appendices for DTZ report on website. | No change to policy proposed. Clarify in the text that the policy is flexible in that it will allow for site specific negotiations based on individual viability appraisals |

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| | | <p>Social Rented/Sub market Split The interim policy leaves other aspects of the SPG unchanged i.e. social rented/sub market for Outer Suburbs at 50%/50% and inner suburbs as 40%/60%. Where sites straddle a boundary the less onerous split should apply i.e. 50/50. In short the blanket 50% social rented will be inappropriate when evidence in the EVA suggests this is not achievable in current market. We recommend a flexible target for up to 50% accommodation. The tenure should be more broadly defined in any event.</p> <p>Internal Rate of Return Developers need to take account of net/gross trading margins. Seek clarification whether trading margins have been considered in the model. The key Variables for scenario testing The EVA has not captured by analysis the specific circumstances of individual housing sites in the study area.</p> <p>Density and dwelling mix Density range of 175-375 dph in city centre seems high- question whether developments of this scale will be brought forward in the future. Minimum density targets have been removed by central government – family housing will be built at 25-35 dph- as a result of lack of demand for flats which will be no more than 5% on our client’s sites. The council should consider a scenario of max 5% of total units on sites as being apartments.</p> <p>Abnormal Costs There is no reference to abnormal ground conditions i.e. contamination etc-without factoring in abnormal the evidence base is questionable.</p> <p>S106 The council’s figure of £2104 is extremely low especially when taking into account such considerations as education contributions which could be around £4500 per dwelling without factoring other costs i.e. Public open space or CIL FIA. CIL FIA modelling suggests £5000 or £10,000 per dwelling. The £2104 figure needs clarification. The council should consider testing an increase in S106 contributions to £10,000 per dwelling.</p> | <p>Tenure split will be considered when the SPD is revised & was not the subject of this consultation. Tenure splits in current policy therefore remain. However, they may be reviewed where individual viability appraisals verify a different approach or where there is clear local evidence. There is a current consultation on changes to the definitions of affordable housing in PPS3. Once these are agreed, any changes would be incorporated into the revised SPD.</p> <p>The representor had opportunity to comment on the DTZ work – the second consultation ended in January 2010, a previous one in March 2009. Paras 2.3-2.5 of the DTZ report explain why IRR is used.</p> <p>PPS3 leaves it for local authorities to develop housing density policies – this may be a range of densities across the plan area or a broad density range. There is still emphasis on a more efficient use of land (para 50, PPS3). It is considered that the DTZ modelling considered a broad range of densities, (30, 35 and 40 dwellings per ha outside the city centre) and this was the subject of consultation (Dec – Jan 2010). Individual viability appraisals can be submitted where viability is still an issue due to density of a scheme.</p> <p>It is standard practice in DTZ modelling to exclude abnormal costs as these are very site specific, and this work is strategic modelling only. The DTZ methodology has been found to be sound at public examination in work carried out for other local authorities.</p> <p>See previous comments. Modelling has included for up to £8,636 per unit S106 costs in the height of the market scenario. All assumptions that went into the modelling were the subject of consultation and are available to view on the Council’s website.</p> | <p>No change to policy proposed.</p> |
| 4. Barton Wilmore For Ashdale Land & Property Company. Interests at Micklefield, Allerton Bywater, Kippax | Support/O bject | As above (no. 3) plus: There is inconsistency between the SPG Housing Market Zones and the market zones tested ion the EVA which causes confusion and should be amended. | As above (no. 3) plus: The boundaries of housing market zones and consideration of aligning the zones with the areas tested in the EVA will be considered through the production of the SPD. To implement boundary changes to the SPG housing market zones now would | As above (no. 3) plus: No change to policy proposed. |

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| | | <p>Site size - The viability testing considered sites up to 10 hectares in size, but nothing larger. Larger sites may be brought forward in the site allocations process – a further scenario for sites larger than 10ha should be considered.</p> <p>Broadly supportive of 15% for the Outer Suburbs. Policy should state 'up to 15%' and for tenure mix 'up to' 50% social rented.</p> | <p>have delayed introduction of the policy. The priority was to introduce an interim policy quickly in response to the current economic market situation. All other aspects of the existing SPG will be reviewed through production of the Core Strategy and SPD.</p> <p>The representor had opportunity to comment on the DTZ work – the second consultation ended in January 2010, a previous one in March 2009. It is considered that a reasonable range of site sizes has been considered.</p> <p>The policy is flexible in that it will allow for site specific negotiations based on individual viability appraisals – if verified, the Council may reduce the affordable housing targets.</p> <p>Tenure split will be considered when the SPD is revised & was not the subject of this consultation. Tenure splits in current policy therefore remain. However, they may be reviewed where individual viability appraisals verify a different approach or where there is clear local evidence.</p> | <p>No change to policy proposed.</p> <p>Clarify in the text that the policy is flexible in that it will allow for site specific negotiations based on individual viability appraisals</p> |
| <p>5. White Young Green on behalf of Harrow Estates</p> | <p>Stupport/ Objec</p> | <p>Support the Council introducing a policy which allows flexibility in current financial climate, based on an accurate viability model – a positive step towards stimulating the housing market in Leeds. It will encourage development of available sites to come forward. There was confusion with having the SPG and Informal Policy 2008 that underwent limited consultation.</p> <p>Support for reduction in affordable housing requirements in the 4 areas proposed.</p> <p>However surprised the Council has not implemented zero affordable housing in City Centre or Inner Areas as recommended in the DTZ Report.</p> <p>Suggest policy wording based on figures being 'up to' percentages to support the council's aim to accept viability appraisals for individual schemes regardless of the housing market zones.</p> <p>The Government has introduced intermediate rent as a delivery option which should be recognised rather than referring to existing tenure splits as remaining unchanged.</p> | <p>The Interim policy will still exist along with the SPG until the SPD replaces it.</p> <p>The modelling assumes all other S106 costs are included & as the DTZ report states because it is strategic modelling, there will be sites within areas tested where different levels of affordable housing can be achieved in practice – individual viability appraisals can be submitted where viability is still an issue. In addition, the city centre modelling does not take account of the fact that most city centre schemes have an element of commercial space within them and this has an impact on development viability.</p> <p>The policy is flexible in that it will allow for site specific negotiations based on individual viability appraisals – if verified, the Council may reduce the affordable housing targets.</p> <p>Affordable rent is being introduced from April 1st. Intermediate rent is an existing intermediate product type. There is a current consultation on changes to</p> | <p>No change to policy proposed.</p> <p>Clarify in the text that the policy is flexible in that it will allow for site specific negotiations based on individual viability appraisals</p> <p>No change to policy</p> |

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| | | Specific reference to viability assessments and to when the policy is to be implemented should be made. | the definitions of affordable housing in PPS3. Once these are agreed, any changes would be incorporated into the revised SPD. Agreed. It is recommended that the policy be introduced immediately (ie upon approval at Executive Board). The new policy would apply to any decisions made after Executive Board. Individual viability appraisals may still be submitted. | proposed. Clarify when the policy will be applied from and until when. The policy will make it clear that individual viability appraisals may result in reductions from the targets |
| 6. Tetlow King for Arndale Properties Ltd – interest in Holbeck | Support | Support for DTZ cautious approach to housing market recovery reflecting in their final report a recommendation for a zero housing requirements in the City Centre but also to the Council target of 5% in order to ensure a sustainable community can be delivered, in accordance with PPS3. We note that to achieve this account will be taken to reduce other planning obligations and viability assessments will be produced in relation to any specific schemes. We support this pragmatic and flexible approach. | | The policy will make it clear that individual viability appraisals may result in reductions from the targets and priorities for relaxing other S106 contributions will be decided on a case by case basis. |
| 7. Joint response: Barratt David Wilson Homes, Bellway Homes, Ben Bailey Homes, Bracken Developments, Chartford Homes, Harron Homes, McCarthy & Stone, Miller Homes td, Persimmon Homes, Redrow Homes, Taylor Wimpey, prepared by ID Planning & Dacres Commercial | Support/Obje | Support the policy approach. The approach of initial consultation on the viability testing, assimilating responses and then carrying out further testing in response to representations is welcomed. The policy includes targets based on, but not wholly reflective of the DTZ findings and sets higher requirements on the basis that these are not mandatory but negotiable – there is flexibility to allow for site specific negotiations/individual viability assessments and it may be possible to deliver affordable housing by reducing other S106 contributions. Need clear reference to this in the text of the document with a link back to the SPG para 3.9 which sets out the issue in relation to site development costs and viability. We welcome the policy and this pragmatic approach. It should help kick start developments. Need clear indication of when it will come into force. | Agree Agree | Clarify in the text that the policy is flexible in that it will allow for site specific negotiations based on individual viability appraisals – if verified, the Council may reduce the affordable housing targets or reduce other S106 contributions in lieu of reduction in affordable housing. Priorities for relaxing other S106 contributions will be decided on a case by case basis. Clarify when the policy will be applied from and until when. |
| 8. Smiths Gore for Cannon Hall Estate | Object | A threshold of 15 units is to low when requiring 35% of the scheme to be affordable in the Outer Area/Rural North-this will hinder housing growth in this area. We strongly question the viability of schemes using this threshold. Each scheme needs to be assessed on its merits. The policy proposes reduced affordable housing in the rest of the City. It | A threshold of 15 is the minimum threshold in PPS3. Threshold is not part of this consultation – it is to be considered in producing the SPD. (The DTZ EVA did consider thresholds – there is evidence to support lowering them rather than increasing them). The DTZ Economic Viability Assessment (EVA) | No change to policy proposed as thresholds were not part of this consultation. No change proposed to |

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| | | <p>is considered unviable for the increase to take place in the rural north. Developers will not develop sites until there is uplift in the market. If LCC continue to pose these obligations on residential development in the rural north, LCC will not reach housing targets.</p> <p>The council should accept the need for off site provision –this should be clarified in the text.</p> <p>The type and size of housing should be negotiated on a site by site basis as established by the Strategic Housing Market Assessment. Other local authorities, eg. Harrogate have reduced their affordable housing requirements. The target should be 30% or lower in the Outer Area/Rural North.</p> | <p>concluded that within the Golden Triangle area in the current market it is viable to provide between 15 and 40% affordable housing. 35% is therefore considered a realistic target to adopt, given that an individual viability appraisal may be submitted by applicants which may verify reduction from the target.</p> <p>Off site provision and/or commuted sums are not part of this consultation. Existing policy allows for off site provision in exceptional circumstances (para 5.2 of the SPG). The SPD will review policy in this respect.</p> <p>The target of 35% is established directly from the DTZ report. The DTZ Economic Viability Assessment (EVA) concluded that within the Golden Triangle area in the current market it is viable to provide between 15 and 40% affordable housing. 35% is therefore considered a realistic target to adopt, given that an individual viability appraisal may be submitted by applicants which may verify reduction from the target. Harrogate have reduced their target from 50 to 40% - this is because their EVA concluded that they had not achieved with a 50% target. Despite the reduction to 40%, this is still 5% above our proposed 35%, and values within this area are comparable.</p> | <p>Golden Triangle/Outer Area-Rural North percentage target of 35%. Clarify in the text that the policy is flexible in that it will allow for site specific negotiations based on individual viability appraisals</p> <p>No change to policy proposed</p> <p>The policy will make it clear that individual viability appraisals may result in reductions from the targets</p> |
| 9. Leeds York & N Yorkshire Chamber of Commerce | Support/ Object | <p>Support council's intention to adjust the target percentages because of scheme viability in depressed market conditions. Support the flexibility accorded to developers to opt for scheme viability review should particular circumstances merit a lower proportion of on site affordable housing. Individual viability assessments can be time consuming. The council should adopt a process signed up to by major house builders as a template. Some inconsistencies arise from the market zone definitions. i.e. Outer Area /Rural North and the Outer Suburbs result in some anomalies eg. Otley and Scholes are placed in the same market zone as Adel Lane and Wigton Lane which is an unrealistic market position. A potential high value site like the former Leeds Girls school would contribute only 15% affordable housing. The council should reconsider its position and introduce the 0% target for affordable housing in the City Centre & lower value Inner Areas as the level of public grant funding that might have supported affordable housing in the past is no longer available.</p> | <p>The council has recently updated its guidance and template for viability appraisals & this is on the website.</p> <p>In inconsistencies in boundaries will be considered in preparing the SPD.</p> <p>The modelling assumes all other S106 costs are included & as the DTZ report states because it is strategic modelling, there will be sites within areas tested where different levels of affordable housing can</p> | <p>No change to policy proposed</p> <p>Clarify in the text that the policy is flexible in that it will allow for site specific negotiations based on individual</p> |

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| | | <p>Welcome Council's recognition that targets must be seen against a list of other contributions developers are obliged to meet. The council must deal flexibly with these other contributions if housing development is to increase its scale & pace across the city.</p> | <p>be achieved in practice – individual viability appraisals can be submitted where viability is still an issue. In addition, the city centre modelling does not take account of the fact that most city centre schemes have an element of commercial space within them and this has an impact on development viability.</p> | <p>viability appraisals – if verified, the Council may reduce the affordable housing targets or reduce other S106 contributions in lieu of reduction in affordable housing. Priorities for relaxing other S106 contributions will be decided on a case by case basis.</p> |
| 10. Lynch Planning Consultancy | Object | <p>Lack of clarity as to its status A succession of informal and interim provisions adds to confusion and illegibility and the uncertain status of the document . Para 2.11 indicates this is another interim stage pending production of an SPD which accompanies the Core Strategy which is not anticipated before 2012 or later with no details of programming for its production. A parallel example is the council's discredited paper on the Interim Housing Policy relating to housing supply requirements presented to Executive Board in July 2010 in relation to the succession of Greenfield appeals. It reflects a piecemeal approach to issues of housing strategy and fails to consider implications for delivery Passing reference is made to low number of units delivered in the past without any critical analysis of the factors involved and how they may be reversed. There is passive acceptance that the whole situation is simply the result of the recession post 2008. No reference is made to the council's attempts to support affordable housing through its regeneration programmes eg. EASEL. No reference is made to the implications of the planning permissions granted on appeal recently nor to the contribution these developments may make to affordable housing provision particularly if they were based on old targets. The report does not consider the sub regional context, nor collaboration and coordination with neighbouring authorities. It is presumed the RSS evidence base still has validity but the report does not demonstrate that this has been considered. It lowers aspirations for affordable housing when need is greater than ever and is unrealistic in suggesting levels can be restored when the housing market recovers. The report confirms the 2007 SHMA suggested a massive need for affordable housing. Low housing completions will have made need more acute, hence it seems counter-intuitive to propose a reduction in target percentages in these circumstances. Developers have always presented viability arguments against affordable housing even in periods of market buoyancy. There have been cases where developers have been persuaded to modify their stance on viability and to renegotiate land values. The basic point of retaining ambitious targets as a context for</p> | <p>It is considered that paragraphs 1 and 2 of the Interim Policy 2011 explain the context for having interim policies in advance of the Core Strategy and SPD.</p> <p>This is a separate issue unrelated to affordable housing policy.</p> <p>The policy relates to applications for planning permission for residential schemes of 15 or more residential units, and it would add to confusion by referring to regeneration schemes. The wider context will be set in the Core Strategy and SPD.</p> <p>Agree that the need for affordable housing has not diminished, but seeking higher percentages of affordable housing will not necessarily result in higher numbers being delivered – 30% of nothing will not deliver anything, and at present it is the housing market as a whole that has stalled – the interim policy</p> | <p>No change to policy proposed.</p> <p>No change to policy proposed</p> <p>No change to policy proposed.</p> |

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| | | <p>negotiation remains relevant. Wakefield retains ambitious targets even after legal challenges. The targets as existing should be retained. The interim policy is simply not needed –it will divert resources away from the greater priority of progressing the Core Strategy and weaken the council's negotiating position-it is a defeatist approach not addressing the city's housing needs. The prospects of targets being restored after the recovery of the market is open to doubt. This would require more consultation and it will be difficult to define a point in the economic cycle for the timing of this. Developers would oppose such a change.</p> <p>Conclusion</p> <p>The council is urged to abandon the interim policy. There is a need for a comprehensive review of housing strategy addressing structural changes resulting from national changes to grant regimes, the Housing Revenue Account and Housing Benefit. This should be the focus for work on the Core Strategy, and its preparation should be coordinated with neighbouring councils.</p> | <p>is aimed at responding to these unprecedented circumstances and stimulating development in the short term.</p> <p>Wakefield's affordable housing policies have been established in its Core Strategy. Leeds Core Strategy will similarly need to adopt higher affordable housing requirements to reflect the longer term position.</p> <p>There is no reason that targets cannot be revised appropriately in the future with the evidence to support this, as has been done in the past.</p> <p>The Core Strategy and SPD will undertake full consideration of all affordable housing issues. This policy is a short term measure in direct response to the current economic climate.</p> | <p>No change to policy proposed.</p> |
| 11. J & J Design for Mr S Soulsby Horsforth Gospel Hall Trust | Support | <p>The Trust has land at Brownberrie Lane with potential for some 45 units as apartments. The Trust welcomes the recognition of current market conditions. It supports the Interim Policy and the proposed reduction in targets from 30% to 15% in the Outer Suburbs.</p> | | <p>No change to policy required.</p> |
| 12. Dr Richard Tyler, Headingley Development Trust | Support/O bject | <p>Recognise that affordable housing as a developer contribution is a key means of achieving national policy on housing mix in areas where mix has been lost. Recognise the council's need to reduce targets. Supports the council's target for Inner Areas rather than the 0% proposal by DTZ. Recommend that the council considers higher targets of 10% in the Inner Area and 20% in the Inner and Outer Suburbs. Recommend that Policy should include a mechanism for ongoing review and revision of targets so that they can be increased when circumstances permit and that S106 agreements made are time limited to deter speculative use of these low targets by developers (i.e. securing agreements now in order to capitalise when economic conditions improve).</p> | <p>The targets proposed reflect the DTZ findings.</p> <p>The policy will apply until replaced by the Affordable Housing Supplementary Planning Document (SPD), anticipated in 2012/13 unless there is clear evidence of a change in market circumstances to warrant any further change in the meantime. Permissions granted on the basis of the interim policy will be time limited to 2 years implementation where appropriate to ensure that permissions are implemented reasonably swiftly, and to reflect the fact that the affordable housing policy will be reviewed through the Core Strategy and SPD.</p> | <p>Clarify when the policy will be applied from and until when.</p> <p>Provide detail in the policy to ensure that consideration is given to time limiting permissions.</p> |
| 13. Leeds Residential Property Forum | Support/O bject | <p>Planning obligations and other associated costs place viability problems with the private sector. Therefore reductions in levels of affordable housing are to be welcomed as it plays a small part in helping to revive house build.</p> <p>Targets should be reduced further in accordance with the baseline position as outlined in the DTZ Report.</p> <p>The Forum believe the percentages in the Outer Area/Rural North, Outer Suburbs and Inner Suburbs are still too high. We suggest 15% in the Outer Areas/Rural North and 10% in the Outer Suburbs and Inner Suburbs. The Forum consider that the Inner Areas and City Centre</p> | <p>The modelling assumes all other S106 costs are included & as the DTZ report states because it is strategic modelling, there will be sites within areas tested where different levels of affordable housing can be achieved in practice – individual viability appraisals can be submitted where viability is still an issue. In addition, the city centre modelling does not take</p> | <p>Clarify in the text that the policy is flexible in that it will allow for site specific negotiations</p> |

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| | | <p>should be reduced to 0% to encourage sites to come forward. It is better to have some development and a certain amount of social housing provision than none at all. To burden the purchase price with the additional cost of social housing makes it more expensive for first time buyers.</p> <p>The Forum queries why affordable housing should be required of those who provide housing to rent. The private rented sector is required to provide a greater share to those who require subsidy for their housing costs through the housing benefit scheme.</p> <p>Also question why student accommodation has to provide affordable housing as this is a specialist provision.</p> <p>The council proposes to leave the Tenure requirements at the same level ignoring the DTZ recommendation which only advocates 60% social rented in the Outer Area with development of medium value if it is at the height of the market position. This will impact negatively on viability.</p> <p>The Forum does not support the DTZ recommendation of reducing threshold from 15 dwellings to 10.</p> | <p>account of the fact that most city centre schemes have an element of commercial space within them and this has an impact on development viability.</p> <p>This is not part of this consultation. Private rented properties do not constitute affordable housing, so have to be treated in the same way as all market housing in terms of planning policy. Student accommodation does not have to provide affordable housing providing occupancy is strictly controlled for full time students only, via a S106 agreement.</p> <p>Tenure split will be considered when the SPD is revised & was not the subject of this consultation. Tenure splits in current policy therefore remain. However, they may be reviewed where individual viability appraisals verify a different approach or where there is clear local evidence. There is a current consultation on changes to the definitions of affordable housing in PPS3. Once these are agreed, any changes would be incorporated into the revised SPD.</p> <p>Threshold is not part of this consultation – it is to be considered in producing the SPD. (The DTZ EVA did consider thresholds – there is evidence to support lowering them rather than increasing them).</p> | <p>based on individual viability appraisals</p> <p>No change to policy proposed</p> <p>No change to policy proposed</p> <p>No change to policy proposed</p> |
| 14. Walton & Co for Commercial Estates Group | Support/Obiect | <p>Whilst the reduction requirement from 30% to 15% in the Inner Suburbs is welcomed it does not go far enough. The evidence from DTZ indicates it should be 0% (the Outer Area, medium value correlates with the Inner Suburbs). As the policy is interim and short term it is illogical not to adopt a percentage which reflects the current evidence. The council accepts appraisals on a site by site basis but these submissions and reviews will add to burden/costs when the Council already has independent evidence that such schemes would not be viable.</p> <p>The economy needs a kick start, so the policy is not appropriate - 15% of no schemes is nil.</p> | <p>Boundaries of the high, medium and low value areas within the Outer areas were not defined – a range of beacon sites/areas were tested. The modelling assumes all other S106 costs are included & as the DTZ report states because it is strategic modelling, there will be sites within areas tested where different levels of affordable housing can be achieved in practice – individual viability appraisals can be submitted where viability is still an issue. The strategic modelling does not take away the need for individual viability appraisals where there are still viability issues. As para 2.7 of the DTZ report states, the model “does not seek to capture analysis of the specific circumstances of individual housing sites in the study areas. To do this would have been impossible in practical terms and inappropriate to a strategic study designed to inform policy development.” Para 1.3 reiterates this and states that “The results of this study will inform policy but do not bind LCC to adopt the results or follow the guidance in</p> | <p>No change to policy proposed</p> |

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| | | The council is leaving the tenure requirements as existing. This ignores DTZ recommendation of 60% social rented in an Outer Area development of medium value only at the height of market, which is not the current situation. DTZ's recommendation should be followed. | relation to specific or individual sites.” Tenure split will be considered when the SPD is revised & was not the subject of this consultation. Tenure splits in current policy therefore remain. However, they may be reviewed where individual viability appraisals verify a different approach or where there is clear local evidence. There is a current consultation on changes to the definitions of affordable housing in PPS3. Once these are agreed, any changes would be incorporated into the revised SPD. | No change to policy proposed |
| 15. Walton & Co for Pickard Properties | Support/Object | Same comments as above (no.14). | Same response as above (no. 14) | |
| 16. Moran Developments | Object | The Council should not waste time on this issue- sites are currently unviable. A realistic build figure for apartments is £110 per sq.ft. without land, professional fees, planning, building regs etc therefore cannot expect a charge on top for affordable housing. Need is to: 1. Identify land to build 2. Invite schemes based on the following: a) efficient dealing of planning applications b) the developer will receive tax relief c) the council may waive council tax for a period. d) there could be shared equity arrangements with tenants. e) tenants with good payment histories should be offered right to buy and banks should provide funds at reasonable rates. f) tenancies must be assured short term tenancies to deal with bad tenants. g) the above would create jobs and homes, bring land into use and boost the economy. | The Council has an established Strategic Affordable Housing Partnership which considers schemes and release of council owned land to deliver affordable housing, but it is a requirement of PPS3 that local authorities set policies for provision of affordable housing on applications for planning permission. The proposed targets are considered a realistic and pragmatic approach to the DTZ evidence base, given that an individual viability appraisal may still also be submitted by applicants which may verify reduction from the target. | No change to policy proposed Clarify in the text that the policy is flexible in that it will allow for site specific negotiations based on individual viability appraisals |
| 17. Leeds City Region | Object | The HCA 2011-2015 Affordable Homes Programme – Framework introduces the concept of Affordable Rent (AR). AR will be to max of 80% of market rent allocated in the same way as social housing is at present. DCLG has issued a consultation on changes to Annex B, PPS3 - it proposes AR be considered as affordable housing for planning purposes. In the new policy AR should be considered as intermediate affordable housing and that considering the guidance on tenure split in the SPG, it should come within the percentage applied to intermediate housing rather than social housing. Asking for a 5% contribution on a scheme of 15 produces less than 1 unit. It needs to be made clear what happens in this circumstance and if a commuted sum will have to be paid. | Affordable rent is being introduced from April 1 st . There is a current consultation on changes to the definitions of affordable housing in PPS3. Once these are agreed, any changes would be incorporated into the revised SPD. Agree with the representor that it is likely that affordable rent will equate with intermediate affordable housing. There have been examples of housing associations taking on single units, so on-site provision cannot be automatically discounted. Where on-site provision cannot be achieved (there is no housing association willing to take on a single unit) a commuted sum would be sought as a fallback position. Para 5.2 of the SPG refers to commuted sums. | No change to policy proposed No change to policy proposed |
| Parish Councils, civic societies etc: | | | | |

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| 18. Boston Spa Parish Council | Support/ Object | <p>Theoretical viability testing makes the model flawed. The city centre and inner areas are most closely related to employment and better public transport provision and should continue to be required to contribute to the accepted need for affordable homes. The model downplays the higher sales values in the outer and rural areas. Developers will factor in affordable housing costs into land purchase costs. It doesn't necessarily show that the areas tested can, or should, provide a much higher level of affordable homes, nor does it show that city centre and inner areas cannot be expected to provide a significant element of affordable housing.</p> <p>A one size fits all policy is neither appropriate nor deliverable. Localism will dictate the needs and wishes of the community. Provision of affordable homes in the outer and golden triangle areas must not be used for 'social engineering' in an attempt to create balanced communities.</p> <p>The report shouldn't be based on outdated minimum density requirements following revisions to PPS3.</p> <p>The increase in requirement for affordable housing in the golden triangle and outer areas cannot be treated in isolation from sustainability issues eg. local employment, public transport and supporting infrastructure. Tenure split must be variable based on a regular assessment of local need and affordable housing should be made available to members of the local population or immediate families. Submarket housing must be protected to ensure it is always available as such.</p> <p>Affordable housing should be 'pepper potted' across developments to avoid friction between the 2 elements and support balanced and mixed developments.</p> <p>In the outer rural and semi rural areas where developments tend to be smaller there may be a case for reducing the trigger threshold to 10 houses providing the housing is to be made available to local families and is supported by infrastructure.</p> <p>All future local authority land sales for housing development should include a requirement for affordable housing even if below the 15 (or 10) houses threshold.</p> | <p>PPS3 requires modelling of viability scenarios to inform affordable housing policy.</p> <p>The policy applies different targets to different housing market zones according to the evidence base, so does not represent a blanket policy approach.</p> <p>PPS3 leaves it for local authorities to develop housing density policies – this may be a range of densities across the plan area or a broad density range. There is still emphasis on a more efficient use of land (para 50, PPS3). It is considered that the DTZ modelling considered a broad range of densities, (30, 35 and 40 dwellings per ha outside the city centre) and this was the subject of consultation (Dec – Jan 2010). Individual viability appraisals can be submitted where viability is still an issue due to density of a scheme.</p> <p>Applications for housing development will be considered on their individual merits and take account of sustainability and other policy criteria applicable. Tenure split will be considered when the SPD is revised & was not the subject of this consultation. Tenure splits in current policy therefore remain. However, they may be reviewed where individual viability appraisals verify a different approach or where there is clear local evidence.</p> <p>This was not the subject of this consultation. Policy is for pepper-potting where possible.</p> <p>Threshold is not part of this consultation – it is to be considered in producing the SPD. (The DTZ EVA did consider thresholds – there is evidence to support lowering them rather than increasing them).</p> | <p>No change to policy proposed</p> <p>No change to policy proposed</p> <p>Clarify in the text that the policy is flexible in that it will allow for site specific negotiations based on individual viability appraisals</p> <p>No change to policy proposed</p> |
| 19. Morley Town Council | Support/ Object | If the report recommendations are followed this will result in a dramatic reduction in the provision of affordable housing especially against RSS | The policy will apply until replaced by the Affordable Housing Supplementary Planning Document (SPD), | Clarify when the policy will be applied from and |

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| | | <p>standards. The RSS standards were insupportable even in boom times. The current 2008 interim policy is not RSS compliant. The Viability assessments show retreat from higher figures and would reflect economic reality, therefore qualified support.</p> <p>However the policy should be assessed annually to see if there has been any recovery in the housing market which would justify any increases in percentages for affordable housing.</p> <p>House builders may be happy to drop below RSS targets with regard to affordable housing, but have exploited inflated RSS house building targets to win a series of planning appeals which cannot reflect current or easily foreseeable levels of actual building.</p> | <p>anticipated in 2012/13 unless there is clear evidence of a change in market circumstances to warrant any further change in the meantime.</p> <p>Permissions granted on the basis of the interim policy will be time limited to 2 years implementation where appropriate to ensure that permissions are implemented reasonably swiftly, and to reflect the fact that the affordable housing policy will be reviewed through the Core Strategy and SPD.</p> | <p>until when.</p> <p>Provide detail in the policy to ensure that consideration is given to time limiting permissions.</p> |
| 20. The Oulton Society | Support/Object | <p>The new proposals appear realistic.</p> <p>The area descriptions in Appendix 1 do not match the descriptions of areas in the 2010/11 interim policy table. These descriptions need to match for clarity.</p> <p>Developers should be required to provide on site provision rather than a contribution to future provision.</p> | <p>Agreed.</p> <p>This is not part of this consultation. However, current policy nationally and locally is for on-site provision unless there are exceptional circumstances that warrant off-site provision or a commuted sum.</p> | <p>Amend Appendix 1 to refer to Inner Areas rather than Inner City, and Outer Area/Rural North rather than the Rural North.</p> <p>No change to policy proposed</p> |
| 21. Leeds Civic Trust | Support/Object | <p>Support increase in proportion of affordable housing in the Outer/ Rural Areas around the north of the city in order to support local communities with lower cost housing for local people.</p> <p>Accept that current market dictates that percentages need to be reduced in the suburban and inner areas but these should be reviewed on a regular basis to account for market changes.</p> <p>Trust that the Draft SPD proposal that affordable housing should be required on developments of 5 or more dwellings will be retained. If possible this should be extended to cover all development - the percentage figure should be the determinant in each zone (i.e. 1 in 3 in the rural areas).</p> | <p>The policy will apply until replaced by the Affordable Housing Supplementary Planning Document (SPD), anticipated in 2012/13 unless there is clear evidence of a change in market circumstances to warrant any further change in the meantime.</p> <p>Threshold is not part of this consultation – it is to be considered in producing the revised SPD. (The DTZ EVA did consider thresholds – there is evidence to support lowering them to 10).</p> | <p>Clarify when the policy will be applied from and until when</p> <p>No change to policy proposed</p> |
| Statutory consultees: | | | | |
| 22. Highways Agency | Object | <p>Affordable housing implies lower car ownership and shorter commuting distances as travel cost is more significant than for occupiers of market housing and implies potential for more public transport trips, dependent on proximity to core/frequent public transport services. Whilst approach may seem sensible in the context of the housing market it is counter intuitive from a transport point of view. Travel to work from locations in the outer areas and rural north means long journeys meaning higher transport costs in car running or public transport fares. People in affordable housing don't have the financial resources to pay higher travel costs. If affordable housing is provided here then it must be on sites accessible to the core public transport network.</p> <p>Conversely the policy proposes lower percentages in the Outer and Inner</p> | <p>All developments, whether comprising market or affordable housing should consider sustainability factors including reducing the need to travel by car.</p> <p>Much affordable housing is for those accessing the housing ladder for the first time, or moving 'up the ladder' – intermediate tenures are aimed at these people, who may also own a car - it is difficult to generalise.</p> | <p>No change to policy proposed</p> |

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| | | Suburbs where transport costs will be lower and where more people will choose public transport. | | |
| 23. Natural England | No comments | No comments | | No change to policy proposed |
| 24. Yorkshire Forward | No comments | No comments | | No change to policy proposed |
| 25. North Yorkshire County Council | No comments | No comments | | No change to policy proposed |
| Councillors | | | | |
| 26. Cllr Monaghan | Object | <p>A time limit should be granted on planning permissions under the new policy otherwise developers will sit on permissions with low affordable housing until the market picks up.</p> <p>All developments should make a contribution including householder applications as per Harrogate. This way lots of small scale developments can make a contribution.</p> <p>Purpose built student accommodation should make a off site contribution in order to fund bringing back empty or neglected landlord properties back into family use with the assistance of housing associations or more new houses through the ALMO's. Schemes should be considered not just on number of units or price in comparison to onsite contributions but other social factors such as the regeneration potential of schemes.</p> | <p>Permissions granted on the basis of the interim policy will be time limited to 2 years implementation where appropriate to ensure that permissions are implemented reasonably swiftly, and to reflect the fact that the affordable housing policy will be reviewed through the Core Strategy and SPD.</p> <p>Threshold is not part of this consultation– it is to be considered in producing the SPD. (The DTZ EVA did consider thresholds – there is evidence to support lowering them to 10).</p> <p>This is not part of this consultation. Student accommodation does not have to provide affordable housing providing occupancy is strictly controlled for full time students only, via a S106 agreement.</p> | <p>Provide detail in the policy to ensure that consideration is given to time limiting permissions.</p> <p>No change to policy proposed</p> <p>No change to policy proposed</p> |
| 27. Cllr Campbell | Object | <p>The trigger point of 15 units is too high. All developments including single dwellings should contribute. A levy should be made on 1-15 units to provide affordable housing on alternative sites in the area.</p> <p>The blanket designation of the north of the City is unhelpful as it does not take account of the variety of local communities. The Localism Bill will allow development suitable for the area which may be at odds with the policy.</p> <p>The viability issue should be one of last resort and in response to new issues not known at the time of purchase. The value of land falling or rising is a hit or benefit the developer should take.</p> | <p>Threshold is not part of this consultation– it is to be considered in producing the SPD. (The DTZ EVA did consider thresholds – there is evidence to support lowering them to 10).</p> <p>The proposed targets are considered a realistic and pragmatic approach to the DTZ evidence base, given that an individual viability appraisal may still also be submitted by applicants which may verify reduction from the target. Agree that historic price paid for land is at owner's own commercial risk.</p> | No change to policy proposed |
| 28. Cllr Ronald Grahame MP | Object | The Housing Revenue Account should be ring fenced to build new affordable housing including East North East Homes and for decent homes standards in 2012. S106 monies should be spent on Home Zones and Green Spaces. This would be carried out by direct service organisations employing local people and thus give credence to the localism bill, supporting small/medium sized businesses. | The Council has an established Strategic Affordable Housing Partnership which considers schemes and release of council owned land to deliver affordable housing, but it is a requirement of PPS3 that local authorities set policies for provision of affordable housing on applications for planning permission. | No change to policy proposed |