

**Test Valley Borough Council**  
**Affordable Housing Supplementary Planning Document (SPD)**  
**Statement of Representations and Responses**

**Formal Public Consultation 19<sup>th</sup> October to 23<sup>rd</sup> November 2007 (5 weeks).**

**List of Respondents**

**Number                      Respondent**

Non-Statutory Consultees

00004/00001	Radian Group
00007/00001	S Lumsden
00008/00001	Planning Issues
00009/00001	C Nixson

Keep Informed

KI0046/00003	The Theatres Trust
KI0072/00002	Brian Jezeph Consultancy
KI0151/00001	White Young Green
KI0187/00002	RPS on behalf of Fairview New Home
KI0285/00004	PPG on behalf of The Abbotswood Consortium
KI0304/00002	PPG on behalf of The Hunt Family
KI0306/00004	Cllr Bidwell
KI0306/00005	Cllr Bidwell

Statutory Consultees

SC016/00001	East Tytherley Parish Council
SC019/00002	J Gallop
SC028/00001	Longparish Parish Council
SC042/00003	Romsey Town Council
SC042/00004	Romsey Town Council
SC051/00002	Wellow Parish Council
SC052/00005	West Tytherley & Frenchmoor Parish Council
SC052/00006	West Tytherley & Frenchmoor Parish Council
SC116/00006	Environment Agency
SC132/00006	Hampshire County Council
SC167/00005	New Forest National Park
SC163/00004	Natural England
SC196/00004	South East England Development Agency
SC196/00005	South East England Development Agency
SC197/00002	South East England Regional Assembly
SC204/00002	Southampton City Council
SC217/00001	Test Valley Rural Housing Association
SC239/00001	Dun Valley Group of Parish Councils
SC239/00002	Dun Valley Group of Parish Councils

No Comment

<b>Summary of Comments</b> No comment (KI0046/00003, SCO42/00003)
<b>Response</b> Comment noted
<b>Change</b> No change

General Comments

<b>Summary of Comments</b> Supportive of the production of the SPD (00004/00001)  Support SPD especially with reference to the Code for Sustainable Homes (SC116/00006)
<b>Response</b> Support noted
<b>Change</b> No change

<b>Summary of Comments</b> SPD makes no realistic suggestions for how to meet the full requirement of affordable houses. SPD should be started again (KI0306/00004)
<b>Response</b> The purpose of the SPD is to inform developers of what is expected and how rural exception schemes are established. By setting out the Councils approach it should speed delivery of affordable units.
<b>Change</b> No change

<b>Summary of Comments</b> The SPD is attempting to straddle both the old style and new style planning system and potentially risks a limited 'shelf life'. Should wait till the finalisation of the South East Plan. (KI0285/00004, KI0304/00002)  Relatively limited 'shelf life' of SPD (SC167/00005)
<b>Response</b>

It is recognised that the SPD may requiring reviewing in light of amended guidance however to delay the production of the SPD will not assist in implementing the Councils Affordable Housing targets.

**Change**

No change

**Summary of Comments**

No mention of working with Parish Councils until section 11 (SCO19/00002)

**Response**

Parish Council are a consultee with regard to any application which includes affordable units within the settlements of Test Valley. Parish Council splay a valuable role in bringing forward rural exception sites.

**Change**

No change

**Summary of Comments**

No mention of Policy ESN 06 – is there a reason for this? (SCO28/00001)

Amend text “but in suitable cases schemes that provide an element of community benefit under ESN 06 may include an element of affordable housing”. (SC217/00001)

**Response**

Policy ESN 06 has been excluded from this SPD as it considers mixed use schemes and not specifically affordable housing. However a reference to Policy ESN 06 should be included to make users aware of it.

**Change**

Add new last sentence to para 3.8

**“Policy ESN 06 provides a framework for meeting identified need within rural communities. It does not deal solely with affordable housing schemes. More details are contained in the Borough Local Plan.”**

Section 2

**Summary of Comments**

Sheltered and other specialist accommodation should not be subject to a requirement for affordable housing (00008/00001)

**Response**

It is considered that the existing text in para 2.4 provides the flexibility that

where there are exceptional circumstances the Council will not seek the provision of affordable housing.

**Change**

No change

**Summary of Comments**

Para 2.3: final sentence refers to “all” private open market housing but should only refer to such schemes above the relevant thresholds. (KI0285/00004, KI0304/00002)

Para 2.3: in order to ensure that Sheltered or Extra Care Housing Schemes are viable, the level of rented or intermediate provision is applied flexibly (SC132/00006)

**Response**

Last sentence of para 2.3 should be made clearer that only those sites above the threshold are relevant.

The policy allows flexibility for any mixed development scheme as required by Sheltered or Extra Care Housing schemes

**Change**

Change last sentence of para 2.3 to read “**Relevant residential development includes all private open market housing, above the threshold, including sheltered or other specialist accommodation**”.

Section 3

**Summary of Comments**

Para 3.2 3<sup>rd</sup> line: replace ‘of’ with ‘or’ (00007/00001)

**Response**

Accept – typographical error

**Change**

Para 3.2 3<sup>rd</sup> line. “...**able to access ~~of~~ or afford market..**”

**Summary of Comments**

Para 3.3: SPD should acknowledge that the use of planning obligations is not the only way of securing affordable units. (KI0285/0004, KI0304/00002)

Para 3.3: the interpretation of ‘Delivering of Affordable Housing’ is misleading.

Should read “The Government strongly encourages the best possible use of planning obligations and other tools”. (00008/00001)

**Response**

Accept that the para 3.3 could be amended to better reflect the content of Delivering Affordable Housing (2006).

**Change**

Amend para 3.3 to read “...**in order to secure affordable housing through developer contributions and other tools**”.

**Summary of Comments**

Para 3.4: the section on Regional Guidance should be revised and updated. (KI0285/00004, KI0304/00002)

Para 3.4: SPD well aligned with Regional Economic Strategy (SC196/00004)

Para 3.4 – 3.5: Policy H4 of the SE Plan includes regional targets which should be referenced to within the SPD (SC197/00002)

**Response**

It is considered that para 3.4 and 3.5 accurately reflect the current regional situation and it is not necessary to update the text.

As the SE Plan is unadopted it is not proposed to replicate draft policies within this SPD.

**Change**

No change

**Summary of Comments**

Para 3.5: PUSH has requested that a threshold of 10 and a target of 40% should be included in any SPD. (SC204/00002)

**Response**

As the PUSH strategy is still in draft form it is considered inappropriate to include its targets within this SPD.

**Change**

No change

**Summary of Comments**

Para 3.7: delete reference to Policy H8 (KI072/00001, KI0285/00004, KI0304/00002)

**Response**

Agreed. Under para 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 policy H8 has been deleted.

**Change**

Delete para 3.7

~~**Policy H8 of the Hampshire County Structure Plan (1996-2011) requires, where there is an identified need for affordable housing, local planning authorities will negotiate with developers the proportion of new housing that will be available to people who cannot afford to occupy houses generally available on the open market.**~~

**Summary of Comments**

Para 3.10: support in principle Corporate Plan aims. (KI0285/00004, KI0304/00002)

**Response**

Support noted

**Change**

No change

## Section 4

**Summary of Comments**

Para 4.1: potential risk of confusion and inconsistency by the inclusion of more than one definition in the SPD. Should delete para 4.2. (KI0285/00004, KI0304/00002)

**Response**

It was considered appropriate to include the Councils definition given that it is taken from the recently adopted the Local Plan. However to reflect the change in national guidance the PPS 3 definition was also included.

**Change**

No change

**Summary of Comments**

Para 4.2: Definition does not cover affordable development of rented accommodation undertaken by RSL without benefit of social housing grant. Include other housing managed by RSL. (SCO16/00001).

Para 4.2: the two element of this definition do not cover affordable

developments of accommodation undertaken by RSL without benefit of Social Housing Grant. Amend definition. (SC217/00001)

**Response**

It is considered that para 4.3 of the SPD covers the issue. Whether it is provided with or without a grant is not an important issue more it is the provision and long term maintenance which is the important factor.

The Council recognises that affordable units can be provided without subsidy and propose to amend the definition to reflect this.

**Change**

Add new last sentence to para 4.3 to read "**The Council recognises that Affordable Housing can be provided with or without subsidy**".

**Summary of Comments**

Para 4.3 – 4.5: should acknowledge that large house builders have access to Housing Corporation grant funding and ability to build affordable houses to relevant standards. (KI0285/00004, KI0304/00002).

**Response**

Whilst it is acknowledged that large house builders are able to access grant funding the inclusion of this issue does not add anything to the SPDs content.

**Change**

No change

**Summary of Comments**

Para 4.4: in the event of an existing co-owner exercising the right to acquire then the, now redundant, subsidy must be transferred to another suitable property. (00009/00001).

Para 4.4: last sentence should be revised. If the shared ownership is to be maintained in perpetuity a purchaser can't acquire 100%. (KI072/00001)

Para 4.4: The 50% may not be appropriate in all circumstances and should be revised to allow flexibility. (KI0285/00004, KI0304/00002)

Para 4.4: why set a maximum of 50%. Should be prepared to go higher. (SCO16/00001)

Para 4.4: should include private developers (SCO52/00005, SC239/00001)

Para 4.4: greater clarity within the definition. Should refer to housing where the occupiers acquire a share of the property through shared freehold or leasehold interest of a portion of the property. (SC217/00001)

**Response**

The reuse of subsidy is a Housing Corporation and not a planning issue and is thus outside of the remit of this SPD.

Under the Leasehold & Franchisement Act (2006) occupiers must be allowed to staircase out of affordable units excluding rural units which are exempt.

By including a maximum limit of 50% it enables household on low income to purchase share which are affordable. In the Council opinion a higher share would make those properties unaffordable because of local house prices.

The Council considers that developers can be 'preferred partners' as referred to in para 4.4.

Para 4.4 provides the definition of shared ownership. Para 4.5 covers the issue of shared equity.

**Change**

No change

**Summary of Comments**

Para 4.5: should negotiate a maximum price for discount market housing with developers not advise developers of the required maximum. Should take account of negotiation (00008/00001)

Para 4.5: the mechanism to maintain such provision should be made clearer (KI0285/00004, KI0304/00002).

Para 4.5: include examples within appendix. (SC217/00001)

**Response**

Para 4.5 makes it clear that the Council will advise developers on a site by site basis. This wording takes into account constraints and issues. In addition Para 6.9 recommends that developers should enter into negotiations, relating to any aspect of affordable housing, at an early stage. It is not necessary to repeat details of negotiation within this section.

Examples have not been included as each site needs to be considered on a site by site basis.

**Change**



No change

**Summary of Comments**

Para 4.6: Keyworkers should not be excluded as a form of affordable housing. Para 4.6 should be deleted. (00008/00001, KI0285/00004, KI0304/00002, SC132/00001)

Para 4.6: Policy ESN 04 is out of date and accordingly should be afforded less weight in decision making. (KI072/00001)

Para 4.6: Presumably key worker housing that meets the other definitions of Affordable Housing would be acceptable. (SC217/00001)

**Response**

Key workers can gain access to housing through other government initiatives. By including key workers within the definition it would result in the loss of affordable units available to those who aren't considered key workers. The definition as currently worded does not prevent key workers from accessing affordable units should they qualify under the usual tests.

**Change**

No change

Section 5

**Summary of Comments**

More helpful if detailed information is provided regarding mix and tenure. (00004/00001)

**Response**

The details of the mix and tenure will vary depending on the location within the Borough and will change over time. It is not suggested to make an amendment.

**Change**

No change

**Summary of Comments**

Para 5.2: TV Homes is not strictly a housing register. Amend third bullet point to read "TV Homes (Test Valley's Choice Based Letting Scheme). (SC217/00001)

**Response**

The term housing register has been used to provide greater clarity to all users

of the document as to how housing need is qualified. Choice Based Letting is the process by which the properties are allocated via the housing register.

**Change**

No change

**Summary of Comments**

Para 5.3: Too much emphasis has been given to the 2002 Housing Needs Survey. Section 5 should be rewritten with more emphasis on the HMA. (00008/00001)

Para 5.3: Housing Needs Survey is dated and should be revised. (KI0285/00004, KI0304/00002, SCO16/00001, SCO52/00005, SC217/00001, SC239/00001)

**Response**

It is recognised that the information contained within para 5.1 – 5.6 needs revising to bring the SPD up to date. It is therefore proposed to delete para 5.1 – 5.6 and replace with the following.

**Change**

Delete para 5.1 – 5.6 and replace with the following:

~~Local Authorities have produced housing needs surveys based on the 'Local Housing Needs Assessment: A Guide to Good Practice (July 2000) produced by the then DTLR (now DCLG). This guidance sets out a model for defining housing need by providing a methodology identifying the backlog of existing need; recognising newly arising need; the current supply of affordable units and from that confirming the overall affordable housing requirement.~~

~~The Council uses the following sources of information to assess the housing needs across the borough:~~

- ~~• Borough-wide Housing Needs Survey and Dwelling Balance Analysis~~
- ~~• Mid Hants Housing Market Assessment~~
- ~~• TV Homes (housing register for Test Valley Borough Council)~~
  - ~~• Individual Village Housing Needs Surveys~~
  - ~~• Data on local house prices/private sector rents and local income levels~~
  - ~~• The Test Valley Supporting People Strategy~~

~~A Borough-wide Housing Needs Survey was undertaken in Test Valley in September 2002 by David Coultie Associates. This information provides~~

~~an estimate of the level of affordable housing need in Test Valley for the following five years. The Survey was conducted in line with the DTLR guidance: Local Housing Needs Assessment: A Guide to Good Practice July 2000.~~

~~The survey includes 4 main assessments:~~

- ~~• Backlog of existing need~~
- ~~• Newly arising need~~
- ~~• Supply of affordable units~~
- ~~• Overall affordable housing requirement~~

~~The survey concluded that there is an existing requirement for 136 affordable homes per annum. In addition, through household formation and household moves there would be a further 1,118 households falling into housing need per year over the following five years. This gave a total requirement for 1,254 affordable homes per annum. It was estimated that there would be a supply of dwellings from relets at a level of 422 dwellings per annum leaving an estimated annual shortfall of 832 dwellings.~~

~~The Housing Needs Survey found that 87% of newly forming and concealed households could not afford to rent or buy market housing in Test Valley. For housing to be affordable to significant numbers of households in need, housing costs would need to be considerably below market levels.~~

~~The Council has commissioned a Strategic Housing Market Assessment (SHMA) jointly with the other rural Hampshire districts for the Central Hampshire and New Forest area. This covers the whole of Test Valley. A HMA has also been prepared by PUSH for the South Hampshire sub-region.~~

~~The role of an SHMA (which replaces the previous Housing Needs Assessment) is to consider the requirements for the mix of additional housing widely across all tenures, types and sizes, taking account of the composition of existing and newly forming households and their housing needs. This is appraised on the basis of housing market area rather than local authority boundaries.~~

~~The study identifies within Test Valley current need at 2,290 households and arising need at 480 households per annum. 34% of all households and 69% of new households are unable to rent or buy market housing.~~

#### **Summary of Comments**

Para 5.5: include up to date information. (SC217/00001)

<b>Response</b> It is agreed to revise to update para 5.1 – 5.6
<b>Change</b> Delete para 5.1 – 5.6 and replace with the following (see above)

<b>Summary of Comments</b> Para 5.7: the range of indicators should be regularly reviewed and the results made public (KI0285/00004)
<b>Response</b> It is agreed to revise to update para 5.1 – 5.6
<b>Change</b> Delete para 5.1 – 5.6 and replace with the following (see above)

<b>Summary of Comments</b> Para 5.8: survey results from individual parishes should be published. (SCO16/00001, SC217/00001)
<b>Response</b> Details of specific need may alter over the lifetime of this SPD. Details of housing need can be obtained directly from the Councils Housing Service. No change is proposed.
<b>Change</b> No change

<b>Summary of Comments</b> Para 5.10: the information is out of date and superseded. (KI0285/00004, KI0304/00002)  Para 5.10: concentrating units in the two large settlements will not help in providing affordable housing other settlements (SCO16/00001, SC217/00001)
<b>Response</b> When the new Housing Strategy is produced the paragraph and targets will be reviewed.  Para 5.10 recognises that the delivery of sites is base on the availability of sites. It is more likely that a large number of affordbale units will arise from the urban areas rather than rural settlements. Policy ESN 05 provides the mechanism for delivering affordable housing in the countryside through

exception sites.

**Change**

No change

**Summary of Comments**

Para 5.11: The Area Based Assessment must be kept up to date. Care will be needed to avoid overly prescriptive intervention in the operation of the general housing market. (KI0285/00004, KI0304/00002)

Para 5.11: A summary of the Area Based Needs Assessment should be included. (SC217/00001)

**Response**

The summary of the Area Based Needs Assessment is available on the Housing Services website. It is proposed to provide a reference to this website within para 5.11.

**Change**

New last sentence to para 5.11. "**The Area Based Needs Assessment is available on the 'Housing Policy & Research' page of the Councils website [www.testvalley.gov.uk](http://www.testvalley.gov.uk)**"

Section 6

General comments

**Summary of Comments**

Affordable housing targets should be indicative and set at a maximum negotiation level to take account of constraints/ characteristics of site. (KI0187/00002)

**Response**

The targets and thresholds have been taken from the adopted affordable housing policy and no changes are proposed.

**Change**

No change

ESN 04 comments

**Summary of Comments**

Para 6.1: The document appears to preclude affordable housing on the edge of settlements. (KI072/00001)

Para 6.1: SPD should list those settlements which fall above and below the

3,000 population threshold. (KI072/00001)

Para 6.1: PPS1 para 26iii/iv states that all policies are viable and where the resources to deliver such policies will come from they won't deter land from being developed. (KI0285/00004, KI0304/00002).

Para 6.1: include reference within policy to a presumption in favour of on-site affordable housing. (SC197/00002)

**Response**

Policy ESN 04 makes it clear that affordable housing on the edge of settlements is not precluded. No change proposed.

The Housing Corporation website provides details on the population of settlements. It is proposed to provide a web link to this site.

To assist with identifying those properties above and below the threshold it is proposed to include a web link to the Housing Corporation website which contains this information.

It is considered that the requirements of this SPD do not deter land from being developed. Policy ESN 04 criterion a) and b) both make reference to taking into account the suitability of the site. In addition Para 2.4 of the SPD makes it clear that where there are exceptional circumstances affordable housing will not be sought. No change proposed.

It is considered that the current wording of ESN 04 makes it clear that the presumption is for affordable housing should be provided on-site.

**Change**

New penultimate sentence in para 6.1 to read

**"...in rural settlements. Details of those settlements above and below the 3,000 population can be found on**

**[www.housingcorp.gov.uk/server/show/conWebDoc.3859](http://www.housingcorp.gov.uk/server/show/conWebDoc.3859)**

**.The lower threshold"**

**Summary of Comments**

Para 6.2: The Area Based Needs Assessment should be used in determining needs of various geographical areas. (SC217/00001)

**Response**

The Council consider that the sources used to identify need e.g. need surveys; housing market assessments; housing register, all provide the information needed to quantify need throughout the borough.

**Change**

No change

**Summary of Comments**

Para 6.4: unreasonable to assume that site will accept a higher density simply because number of units proposed is below threshold. A character assessment should be undertaken. (SC217/00001)

**Response**

The wording of Para 6.4 states that higher densities will only be considered where the Council believes this is an option. It does not assume that densities can automatically be increased to reach the threshold.

**Change**

No change

**Summary of Comments**

Para 6.6: all housing sites should be sustainably located (KI0285/00004, KI0304/00002)

Para 6.6: further elaboration of the approach to off-site contributions should be included. (SC217/00001)

**Response**

Comment noted.

Further detail of how off-site contributions will be undertaken is provided in para 6.15.

**Change**

No change

**Summary of Comments**

Para 6.7: Does “secure arrangements...to ensure that the units will remain affordable in perpetuity” mean through a Section 106 agreement? (00004/00001)

Para 6.7: Delete reference to RPG9. (KI0285/00004, KI0304/00002)

**Response**

Securing the affordable units in perpetuity will be via a Section 106 agreement.

RPG 9 still forms part of the development plan therefore no amendment required.

**Change**  
No change

**Summary of Comments**

Para 6.8: residents of shared ownership properties will have the right to staircase to 100% ownership and this is not reflected in this para. Also, no reference to inclusion of Mortgagee in Possession clauses which are usually in Section 106 agreements (00004/00001).

Para 6.8: Care should be taken in the drafting of Section 106 agreements. (SCO52/00005)

Para 6.8: include reference to ineligibility for Right to Acquire. (SC217/00001)

Para 6.8: in drafting Section 106 officers should be aware of losing social housing stock. (SC239/00001)

**Response**

It is considered appropriate to amend para 6.8 to reflect the ability of tenants to purchase properties outright and what is required for them to be eligible for this process.

Comment noted regarding care with drafting Section 106 legal agreements.

**Change**

Amend para 6.8 to read  
“**..qualifications set out in Sec 106 the Housing Act 1996.**”

**Summary of Comments**

Para 6.9: should be recognised that delays in Section 106s are not always within the developers control. (00008/00001)

Para 6.9: question the requirement that the Section 106 should be resolved prior to deadline. Replace with “the Council will ensure that...”(KI151/00001)

Para 6.9: unrealistic to expect larger schemes to insist on the final draft Section 106 at this stage. Suggest including “at an advanced stage” (KI0285/00004, KI0304/00002)

Para 6.9: should include sample Section 106 agreements to applicants at pre application stage.(SC217/00001)

**Response**

Local Planning Authorities are under pressure to issue decisions within the 8 or 13 week timetable. The wording of para 6.9 is clear that the emphasis is on



early negotiations between the Council and the developer to ensure that the S106 is completed. It is therefore not proposed to revise the wording.

**Change**

No change

**Summary of Comments**

Para 6.10: Area based needs assessment should take account access to facilities and services. (00009/00001).

Para 6.10: should be flexibility in determining the type and mix of affordable housing as rigid approach may inhibit delivery of housing.

Para 6.10: include commitment to update the rural housing needs survey. (SC217/00001).

**Response**

Para 6.10 makes reference to “the sustainability factors” which will be taken into account in bringing forward sites.

To ensure delivery meets recognised local need the Council must advise what is required on a site by site basis and in the areas that the needs arise. Section 9 also recognises that negotiation can be undertaken.

Rural housing needs survey are instigated by Parish Councils if they consider that there is a housing need. It is not considered appropriate to include this within the SPD.

**Change**

No change

**Summary of Comments**

Para 6.11: should set out circumstances in which lower provision of affordable housing may be considered. (00004/00001)

Para 6.11: standardised benchmarks should be applied where financial viability is an issue. Opposed to the ‘open book’ approach. (00008/00001)

Para 6.11: open book approach. Does this mean that developers will get the last word (00009/00001)

Para 6.11: include that the mix of affordable housing is for guidance only and specific mix will be on case by case basis. Object to specific mix of housing being set for development. Should allow for flexibility. (KI0197/00002)

**Response**

It is not considered necessary to list the circumstances of where lower

provision might be accepted. Para 6.11 states that the proportion of affordable units will take account of the site characteristics and market conditions.

It is considered inappropriate to include standardised benchmarks as this would enable the Council to consider each proposal on a case by case basis. It should be noted that the Housing Corporation requires a financial viability assessment.

The open book approach allows for the Council to consider the case put by the developers should they believe that the provision of affordable units will make the scheme unviable.

The existing wording allows for flexibility and will consider the requirement on a case by case basis depending on local need, form of development, site characteristics and market conditions.

**Change**

No change

**Summary of Comments**

Para 6.12: should include a reference to intermediate rents. Shouldn't restrict the initial shared ownership to 50%. (00008/00001)

Para 6.12: the reference to a maximum of 50% equity share should be revised to enable more flexibility.

Para 6.12: definition should refer to housing where the occupiers acquire a share in the equity of the property. (SC217/00001)

**Response**

The Council does not recognise intermediate renting as part of the Affordable Housing requirement.

By including a maximum limit of 50% it enables household on low income to purchase share which are affordable. In the Council opinion a higher share would make those properties unaffordable because of local house prices.

**Change**

No change

**Summary of Comments**

Para 6.13 & para 6.14: both paras are too vague as indicate that in some circumstances financial contributions and land will be sought. Clarification of under what circumstances a financial contribution will be sought. (00008/00001)

Para 6.13: include reference to 'subsidy' from Housing Corporation not just 'free land'. (KI0285/00004)

**Response**

It is recognised that para 6.13 replicates advice in para 6.14 and should be deleted.

**Change**

Delete para 6.13

~~“There may, however, be cases where the Council may require land rather than property to be transferred. The Council will normally expect serviced land to be made available free of charge, and will also seek appropriate financial contributions where necessary to ensure that the dwellings provided can be made available to meet local needs.”~~

**Summary of Comments**

Para 6.14: support the principle of off site provision. However reference should be made to allow developer to provide units on an alternative site under its control and Council should be flexible regarding where this should be located. (KI0285/00004, KI0304/00002)

Para 6.14: issue of financial contributions should be dealt with separately (KI0285/00004, KI0304/00002)

Para 6.15: requirement for nil land is supported. Would encourage reference to affordable units being provided at a reasonable cost to ensure that build cost is not inflated on schemes provided with nil land. (00004/00001)

**Response**

Support noted.

Seeking affordable housing is to meet recognised local need therefore the alternative site must be in a location related to the development. If a site is provided which is to a distance from the site it does not meet that local need.

**Change**

No change

**Summary of Comments**

Para 6.15: PPS3 states that a financial contribution should be of equivalent value to what would have been expected on-site. Calculating a contribution on combined site capability is contrary to national policy. (00004/00001)

Para 6.15: should consider opportunities to secure units via existing housing stock in 2<sup>nd</sup> hand market. (KI0285/00004, KI0304/00002)

### Response

It is recognised that this para is contrary to PPS 3 and as such para 6.15 will be amended.

The Council will consider the option of the developer purchasing existing properties on the market. However it has to reflect a) the mix had the units been provided on site; and b) that the properties are located close to the development. It is proposed to amend para 6.15.

### Change

Amend para 6.15 to read “...**for on-site affordable housing plus 40% of the potential off-site provision (the combined site capability) at the current density...**”

After the last bullet point under para 6.15 to include

**“The Council will consider proposals where the developer purchases existing properties on the market. However, the purchases have to reflect a) the mix of the units had they been provided on site; and b) that the properties are related to the location of the residential development.”**

### Summary of Comments

Para 6.16: certain developments can't design out communal areas. A cap of £250 per annum for maintenance will result in open market occupiers paying higher charges. (00008/00001)

### Response

It is recognised that certain developments can't design out communal areas and it is proposed to amend para 6.16 to reflect this.

It is not proposed to delete the maintenance cap as to ensure affordability of the scheme the Council have to ensure that the service charge remains within the means of those on low income.

### Change

Amend para 6.16 to read “...**communal areas, wherever possible, should be designed out...**”

## Section 7

### Summary of Comments

Para 7.1: support content. (KI0285/00004, KI0304/00002)

Para 7.1: refers to need for clarification of the descriptions contained in para

4.2. (SC217/00001)

**Response**

Support noted

It was considered appropriate to include the Councils definition given that it is taken from the recently adopted the Local Plan. However to reflect the change in national guidance the PPS 3 definition was also included.

**Change**

No change

**Summary of Comments**

Para 7.2: What is the definition of 'in-kind' contribution (00004/00001)

**Response**

The term 'in-kind' refers to an equivalent contribution.

**Change**

No change

**Summary of Comments**

Para 7.4: cascade mechanism is supported however shared ownership units often require subsidy and are not necessarily the solution to the lack of grant. (00008/00001).

Para 7.4: support cascade mechanism. (KI0285/00004, KI0304/00002)

Para 7.4: the suitability of varying the mix of rented and shared ownership units be assessed having regard to housing needs assessment. Where shared ownership provision is not required there should be cross subsidy of the rented properties with reduced provision of affordable housing. (SC217/00001)

**Response**

Supported noted.

The cascade mechanism is only applicable to those proposals delivered under Policy ESN 04. The mechanism is there to ensure that there is affordable housing provided on site. The cross subsidy of shared ownership units is not a planning matter.

**Change**

no change

## Section 8

### **Summary of Comments**

Para 8.1: communities should be actively involved. Add 'The Council also recommend that there should be consultation with Parish Councils at the Pre Application Stage' (SCO52/00005, SC239/00001)

Para 8.1: Support pre application consultation (SC163/00004)

### **Response**

There is no duty on the Borough Council to consult with Parish Councils at the Pre Application stage. PPS 1 (para 12) only makes reference to Local Planning Authorities and applicants being involved in early pre application discussions without reference to 3<sup>rd</sup> parties including statutory and non statutory consultees.

Support noted.

### **Change**

No change

### **Summary of Comments**

Para 8.3: schemes should not be refused simply because the 8 / 13 week deadline has been reached. (KI0285/00004, KI0304/00002)

Para 8.3: Question the requirement that the Section 106 should be resolved prior to deadline. (KI151/00001, KI0285/00004, KI0304/00002)

### **Response**

The Council, along with all other Local Planning Authorities, are under considerable pressure to determine application within the 8/ 13 week timetable. This includes the preparation and completion of legal agreements. The Council recognises that some issues may be complex and therefore has recommended that pre application consultation is undertaken (ref para 8.1).

### **Change**

No change

## Section 9

### **Summary of Comments**

Support in principle the Section 106 agreement. (KI0285:00004, KI0304/00002)

### **Response**

Support noted

**Change**  
No change

**Summary of Comments**

Para 9.1: should include reference to the quality of affordable housing provision (00004/00001)

Para 9.1vi: too onerous that no housing will be sold or occupied prior to conveyance of the affordable housing to a Registered Social Landlord. 00008/00001

**Response**

The issue of quality and standards of affordable units is covered in para 10.2

It is agreed that para 9.1 vi) requires rewording to allow an element of flexibility.

**Change**

Revise para 9.1 iv) to read “...to a registered social landlord **unless otherwise agreed by the Council.**”

Section 10

**Summary of Comments**

Para 10.1: the distribution of affordable units should be negotiated with the developer as this can affect viability. (KI072/00001).

Para 10.1: the principle is accepted however there should be a degree of flexibility in terms of design. (KI0285/00004, KI0304/00002)

Para 10.1: object to restriction of groups of 10 dwellings or less. Question why pepper potting is needed. (KI0285/00004, KI0304/00002)

Para 10.1: Affordable units unlikely to be indistinguishable. Design and quality should allow for dispersal within similar open market. (SCO16/00001, SCO52/00005)

Para 10.1: reference should be made for inclusion of green space within layout and support that units should be indistinguishable (SC163/00004)

Para 10.1: the distribution of units should be considered in the context of the site. Also, ‘any one part of the site’ should be better defined. (SC217/00001)

Para 10.1: delete ‘indistinguishable’ and substitute with ‘similar in design and

materials' (SC239/00001)

**Response**

Affordable housing should be designed so that they are indistinguishable from open market to ensure full integration within the scheme. If designed differently/ use different materials this may create a stigma for the occupiers. Other issues of the layout ref open space, will be considered as part of the wider scheme.

Regarding distribution all the affordable units in several large areas does not create balanced communities. To ensure a mixed and integrated community affordable units should be 'pepper potted' across sites. The limit of 10 dwellings is based on the Councils experience elsewhere in the Borough. However, it is proposed to include wording to allow some flexibility to this approach.

**Change**

Para 10.1 amended to include “...**any one part of the site unless otherwise agreed by the Council in writing**). **On large....**”

**Summary of Comments**

Para 10.2: Housing Corporation Scheme Development Standards were replaced by Quality & Design Strategy in April 2007 for new homes. (00004/00001)

**Response**

Noted and agreed to update para 10.2.

**Change**

Change para 10.2 to read “**must be provided in accordance with the Housing Corporations ~~Scheme Development Standards~~ Quality and Design Strategy (April 2007) or subsequent Housing ...**”

**Summary of Comments**

Para 10.3: the minimum Code for Sustainable Homes requirement for funding is level 3. A target to deliver level 4 is welcomed but consideration should be given to circumstances of site. (00004/00001)

Para 10.3: delete penultimate sentence. Level 4 is unreasonable (KI0285/00004, KI0304/00002)

Para 10.3: support requirement for Code for Sustainable Homes



(SC163/00004, SC196/00004)

**Response**

Support noted

It is proposed to revise the Code for Sustainable Homes standards to better reflect government guidance.

**Change**

Amend para 10.3 to read “...**affordable housing units to meet ‘level 3 4’ as a minimum..**”

**Summary of Comments**

Para 10.4: support modern methods of construction. (KI0285/00004, KI0304/00002)

**Response**

Support noted

**Change**

No change

Section 11

**Summary of Comments**

Insufficient and inadequate emphasis on developing rural affordable housing schemes. (00007/00001)

No reference to select ‘brownfield’ site in preference to rural exception sites (00007/00001)

Include that parts of the parishes of Wellow and Melchet Park and Plaitford lie within the New Forest National Park (SC167/00005)

**Response**

It is considered that section 11 & 12 provide sufficient guidance on rural exception sites.

Para 12.3 refers to the site appraisal process and would consider the merits of the site against the Borough Local Plan and other material considerations. This would include whether the site is brownfield or not.

Include a footnote in para 11.3 which recognises that parts of the parishes of Wellow and Melchet Park and Plaitford lie within the New Forest National Park.

**Change**

Include footnote in para 11.3 “**please note that parts of the parishes of Wellow and Melchet Park and Plaitford lie within the New Forest National Park**”

**Summary of Comments**

Wellow Parish Council is not minded to consider additional schemes until parish plan is completed. The needs of those born in the village would be permanent priority to the Parish Council. (SCO51/00002)

**Response**

Noted

**Change**

No change

**Summary of Comments**

Para 11.4: The SPD should acknowledge that the identification of suitable sites is difficult. (SC217/00001)

**Response**

It is recognised that the identification of exception sites is not a simple task however it is not considered that by adding this issue will add the process.

**Change**

No change

## Section 12

**Summary of Comments**

Para 12.1: provide this section in the form of an appendix as to the approach currently being undertaken by the Council as a Housing Authority. (SC217/00001)

Para 12.1: This para should relate to ESN 05 sites. Comment that developments may be undertaken by Housing Associations, Trusts and companies registered as RSL. (SC217/00001)

**Response**

The inclusion of this section within the SPD was to provide guidance as to the process in bringing forward a rural exception scheme. It is not proposed to include this section as an appendix.

To provide further clarity para 12.1 will be revised to make reference that this approach applies solely to rural exception sites. It is not necessary to make reference to ESN 06 sites within this para.

**Change**

**Para 12.1 will be revised to read “...an exception site, under Policy ESN 05, they must...”**

**Summary of Comments**

Para 12.2: the survey report should be available to the public at no charge e.g. on TVBC website. (00007/00001)

**Response**

The results of the survey can be obtained from the Councils Housing Service.

**Change**

No change

**Summary of Comments**

Para 12.3: “relevant parties” is too vague. The minimum should be specified, public consultation undertaken and site appraisals be publicly available. In accordance with the HARA procedure. 00007/00001

**Response**

Relevant parties will vary on a case by case basis so it is not appropriate to include a list. Regarding public consultation it is for the Parish Council/ rural communities to consider how best to progress with the principles of public involvement for site selection and surveys. The issue of public consultation is also covered in para 12.5.

**Change**

No change

**Summary of Comments**

Para 12.4: prior to submission of planning application there needs to be an opportunity for a public exhibition to allow comments. In accordance with the HARA procedure. (00007/00001)

**Response**

There is no duty on the Borough Council to consult with Parish Councils at the Pre Application stage. PPS 1 (para 12) only makes reference to Local Planning Authorities and applicants being involved in early pre application

discussions without reference to 3<sup>rd</sup> parties including statutory and non statutory consultees.

**Change**

No change

**Summary of Comments**

Para 12.5: delete the last sentence. It is contrary to the intent of Section 106, the catchment area of the Housing Need Survey, the scope of provision in perpetuity of affordable housing in the Parish and Policy ESN 05. (00007/00001)

Para 12.5: 3<sup>rd</sup> sentence – insert words ‘a provision’ between ‘include’ and ‘that’. 4<sup>th</sup> sentence – should read ‘people in the parish’.(SCO52/00005, SC239/00001)

**Response**

The provision has been included to ensure that if all those is housing need within the parish have been housed that no affordable unit is left empty.

Agreed – typographical error within 3<sup>rd</sup> and 4<sup>th</sup> sentence

**Change**

Amend para 12.5 to read “**This will include a provision that the residential units will remain affordable in perpetuity. The section 106 should also ensure that neighbouring parishes are eligible in the future nominations process as situations may arise where people in to the parish...**”

**Summary of Comments**

Para 12.7: The Parish Council should be involved in the process and decide who is eligible. As a minimum there needs to be consultation and agreement on the list of eligibility. (00007/00001)

Para 12.7: Implies that people with no local connection could be accommodated. Contrary to ESN 05. (SCO52/00005, SC239/0001)

**Response**

The Parish Council play a fundamental role in identifying whether there is a housing need and would be one of the relevant parties involve din identifying a site. It is considered that Parish Council should not be involved with the selection process of who is eligible for accommodation as the Borough Council have both the expertise and experience to undertake this task impartially.

Para 12.7 states that a local connection is the most important criterion and that those with a local connection take priority. It does not imply that people

with no local connection will be housed first.

**Change**

No change

**Sustainability Appraisal**

**Summary of Comments**

No comment (SC042/00004)

**Response**

noted

**Change**

No change

**Summary of Comments**

The SA makes no effort to show how the affordable units will be built. Delete the document. (KI0306/00005)

**Response**

The purpose of the SPD is to inform developers of what is expected and how rural exception schemes are established. By setting out the Councils approach it should speed delivery of affordable units

**Change**

No change

**Summary of Comments**

Para 8.1: amend to highlight location of the SPD objectives within the document (SC196/00005)

**Response**

It is agreed that the sustainability objectives used in the appraisal should be listed within the SPD under para 1.1.

**Change**

Amend para 1.1 to read

**~~“The aims objectives of the Council’s affordable housing planning policies and this Supplementary Planning Document (SPD) is to ensure the development of balanced and integrated communities, and to deliver good quality affordable housing for local people in housing need for~~**

~~both present and future generations.~~

- Increase the affordability and mix of housing
- Reduce areas of poverty and social exclusion
- Promote a place with strong and vibrant local communities
- Encourage efficient use of land including maximising the potential of previously developed land
- Encourage a more efficient use of resources
- Supporting a thriving economy in the rural and urban area

These objectives will form part of the Sustainability Appraisal which accompanies this document.

#### **Summary of Comments**

Table 4 section 2 column 1: clearly distinguish which objectives are social, environmental or economic. (SC196/00005)

#### **Response**

It is not considered necessary to state which objectives are social, environmental or economic as it is easily to distinguish from reading the objectives.

#### **Change**

No change

#### **Summary of Comments**

Table 4 objective 10 – delete ‘enviable’ and insert ‘unviable’

Table 5 objective 10 – delete ‘enviable’ and insert ‘unviable’ (SC052/00006, SC239/00002)

#### **Response**

Agreed – typographical error

#### **Change**

**Amend Table 4 objective 10 – delete ‘~~enviable~~’ and insert ‘unviable’**

**Table 5 objective 10 – delete ‘~~enviable~~’ and insert ‘unviable’**