

Report to: **Strategic Planning Committee**

Date of Meeting: Tuesday 26 March 2019

Public Document: Yes

Exemption: None

Review date for release None



Agenda item: 11

Subject: **Draft Affordable Housing Supplementary Planning Document**

Purpose of report: To provide an overview of the draft Affordable Housing Supplementary Planning Document (SPD). The SPD is presented for approval by this Committee for a six week period of public consultation.

Recommendation: **Members are asked to approve the draft Affordable Housing Supplementary Planning Document for public consultation over a period of six weeks.**

Reason for recommendation: To ensure public consultation is undertaken and feedback duly considered in preparing the Affordable Housing SPD.

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Financial implications: No specific financial implications.

Legal implications: There are no legal implications other than as set out in the consultation report.

Equalities impact: Low Impact

An Equalities Impact Assessment of the draft Affordable Housing SPD has been prepared, and will be published alongside the SPD. This identified that there would be no adverse impacts upon those people with “protected characteristics”. There would be positive impacts upon “age” through encouraging affordable housing provision for young people to buy and rent, and “disability” through guidance on enhanced standards for accessible and adaptable homes.

Risk: Low Risk

The SPD is being prepared in accordance with plan-making regulations, the council agreed protocol for preparing SPDs, and the adopted Statement of Community Involvement.

Links to background information:

- [Draft Affordable Housing SPD Screening report for Strategic Environmental Assessment and Habitats Regulations](#)
- [Draft Affordable Housing SPD Equalities Impact Assessment](#)
- [East Devon Local Plan 2013-2031](#)
- [East Devon Local Development Scheme \(July 2018\)](#)
- [Supplementary Planning Guidance Protocol](#)
- [National Planning Policy Framework](#)

Link to Council Plan: Developing an outstanding local economy; Delivering and promoting our outstanding environment; Continuously improving to be an outstanding council

Report in full

Background

1. Members will be aware that the East Devon Local Plan 2013-2031 facilitates the delivery of affordable housing in appropriate locations, through policies relating affordable housing targets (Strategy 34) and rural exception sites (Strategy 35). Another Local Plan policy (Strategy 36) requires all affordable housing to meet accessible and adaptable dwellings standards on sites of 10 or more homes.
2. The Local Development Scheme, approved by this Committee on 11 July 2018, states that an Affordable Housing supplementary planning document (SPD) will be prepared to elaborate on policy to secure affordable housing provision in East Devon. In addition, on 20 March 2018, this Committee agreed a protocol for preparing SPDs. It is important to note that SPDs can only add further detail to policies in the development plan, and cannot set policies themselves.
3. Therefore, following the agreed protocol, and in discussion with key internal officers, a draft Affordable Housing SPD has now been prepared for public consultation. The SPD begins with a brief overview of affordable housing and related planning policy, some contextual information on affordable housing in East Devon, and then provides guidance on affordable housing issues relevant to Local Plan policies, across the following chapters:
 - Thresholds and targets
 - Tenure and mix
 - Design and layout
 - Rural exception sites
 - Pre-application, legal agreements and occupancy
4. Appendices include maps showing which affordable housing thresholds apply across the district, Local Plan policies on affordable housing, and the standard section 106 agreement for securing affordable housing.
5. The SPD is structured around a series of key questions so that the guidance is provided in a clear, accessible format. The SPD is accompanied by a Strategic Environmental Assessment and Habitats Regulations screening report, and an Equalities Impact Assessment (EqIA). These conclude there would be not be significant effects on the environment or habitats; and there would be no adverse impacts upon people with “protected characteristics” with regards to equalities.

Purpose of the SPD

6. The Affordable Housing Supplementary Planning Document has been drafted to provide greater clarity to developers and communities about the expectations for affordable housing delivery in the district. By giving clear guidance upfront about our expectations in terms of tenure mix, how vacant building credit will be operated, where off-site contributions will be appropriate etc. It will enable developers and landowners to understand our requirements better.
7. The value paid for the land is often the biggest influence over the viability of a development and so ensuring that developers and land owners fully understand our requirements when undertaking negotiations over land values is key to ensuring that the value that is agreed is realistic and takes account of the true costs to the development of providing affordable

housing. In doing this it is hoped that the amount of affordable housing delivered can be maximised and issues with viability reduced.

8. Another important factor is that the National Planning Policy Framework has recently been updated in a number of key areas that impact on affordable housing including the definition of affordable housing that has changed introducing a number of new products. The NPPF also now gives clearer guidance on viability and the assessment of land values and Homes England have interpreted this new guidance in their recent decisions on funding. As a result there is a need for the Council to issue clear guidance responding to this and to provide clarity about how the policies of the Local Plan will be applied in light of these changes.
9. Finally the SPD provides a valuable opportunity to provide further guidance and clarity over issues that are frequently questioned and challenged by developers. A key example of this is the issue of the pepper potting of the affordable units within developments. While this is already a policy requirement the degree of pepper potting and the size of clusters have been key areas of dispute with developers and so providing further clarity will both help to guide developers when designed schemes and aid decision making.

Next steps

10. Assuming the recommendation to consult on the draft Affordable Housing SPD is resolved, a six week period of public consultation will follow, running into May 2019. We will then consider the representations received, and amend the SPD (and potentially the screening report and EqlA) as required. This (potentially revised) version of the SPD will be brought back to this Committee to consider and approve a second round of public consultation, likely in summer 2019. Again, the consultation responses will be considered, and the SPD amended as appropriate. Another report will then be brought to Strategic Planning Committee that will recommend to Cabinet that the Affordable Housing SPD is adopted.
11. Given these remaining stages, it is likely that the Affordable Housing SPD will be adopted in late 2019 or early 2020.