

## Affordable Housing SPD

### Consultation Responses

Number	Organisation	Section of document	Comment	Officer recommendation
1	Surrey County Council	General comment and paragraph 20.20	No comment, but pleased to note the acknowledgement in paragraph 20.20 of the need for appropriate cross-boundary engagement where there are implications for service delivery in adjoining areas.	Noted – no change required.
2	Gatwick Airport	General comment	Request that any developments that come forward in the future comply with aerodrome safeguarding requirements.	Noted – no change required.
3	Natural England	General comment	No comment as consider the SPD does not pose any likely risk or opportunity in relation to its statutory purpose. However, there may be impacts on the environment upon which others may wish to comment.	Noted – no change required.
4	Southern Water	General comment	No comments to make at this stage.	Noted – no change required.
5	Plan4Localism	Paragraph 2.84 (now paragraph 2.86)	The wording in the paragraph is not quite correct. The District Plan does not cover the National Park area and therefore DP31 cannot apply to it. In the National Park area, the Local Plan 2004 policies will continue to apply until the South Downs National Park Local Plan is adopted.	Agree – proposed change.  The wording has been corrected to reflect the need to comply with the policies in the Mid Sussex Local Plan 2004.

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6	Turners Hill Parish Council	General comment	The three documents were considered to be informative, easy to read and appropriate. They are supported by Turners Hill Parish Council.	Noted – no change required.
7	Historic England	General comment	No comments as the SPDs fall outside of Historic England's expertise and remit.	Noted – no change required.
8	Redrow Homes	General comment	Support the preparation of an updated Affordable Housing SPD and the inclusion of how Vacant Building Credit operates is welcomed.	Noted – no change required.
		General comment – with reference to paragraph 2.12 and 2.41	Request the Affordable Housing SPD is written with more flexibility taking into consideration the commercial realities of providing and delivering affordable housing on development sites, particularly with regards to the total number of units provided in phased developments and the approach to clusters. It is recognised that affordable housing should be spread across development sites, however, the Council should apply a more flexible approach to the total percentage of units in each phase and clusters, for example, with reference to site specific constraints, build and construction programme and the overall layout. Suggest paragraphs 2.12 and 2.41	Disagree – no change required.  The requirement for full 30% affordable housing provision on each and every phase ensures more balanced communities. The SPD already states that clusters of more than 10 affordable housing units may be considered on high density flatted schemes.

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			are written to include a subject to negotiation clause recognising the Council can be flexible to site specific factors. Officers have been applying a flexible approach to clustering and this should be written into the SPD.	
		General comment	The Council has not considered in enough detail how the registered providers operate and that they prefer to secure affordable housing plots in larger groups so that they can manage and operate those units in a more efficient manner.	Disagree – no change required.  The Council works closely with Registered Providers and Registered Providers are happy with clusters of 10.
9	CPRE	General comment with reference to paragraph 2.68	Welcome the Affordable Housing SPD.  Agree the need for different types of affordable homes in the District is acute.	Noted – no change required.
		General comment	Consider the SPD should be deferred until the new NPPF and NPPG is published.  For example, the definition of affordable housing may change and a requirement to deliver entry-level housing may be introduced.	Disagree – no change required.  The current SPD is out-of-date and needs replacing and the date of publication of the final versions of the NPPG and NPPF is unknown, so it would not be sensible to defer the introduction of the new SPD. Should it be necessary, the SPD will be revised in due course, however, the SPD broadly aligns with the draft NPPF and NPPG.
		Paragraph 2.1	Consider expanding the SPD to	Disagree – no change required.

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			<p>provide planning guidance on the District Plan Policy DP30 on housing mix (unless a separate SPD is planned).</p> <p>Would like to see an explanation of the Council's approach to student accommodation given that it is clear that Policy DP31 is not intended to cover this particular market.</p>	<p>The SPD advises that the exact tenure, type and size split for the affordable housing units on each site can be advised during pre-application discussions but is likely to be approximately 25% x 1B/2P, 65% x 2B/4P and 10% x 3B/5P units plus the occasional 4B unit. A made neighbourhood plan may also contain a policy on housing mix.</p> <p>There are currently no Higher Education Institutions in MSDC.</p>
		Paragraph 2.5	Omission of the Policy DP31 lower threshold requirement for residential developments within the High Weald AONB that trigger a commuted payment.	<p>Agree – proposed change.</p> <p>The wording has been amended and an additional paragraph (2.6) added for clarity.</p>
		Paragraph 2.30 (now paragraph 2.31)	The SPD does not contain details of the Council's expectations of tenure mix whilst allowing for individual circumstances.	<p>Disagree – no change required.</p> <p>The SPD states that normally a balance of 75% social or affordable rented homes with the remaining 25% for intermediate homes will be required unless the best available evidence supports a different mix.</p>
		Paragraph 2.35 and 2.36	Welcome the Council's position of not accepting a non-viability case made by a developer when too high a price has clearly been made for the land, but would welcome clarification of the	<p>Noted – no change required.</p> <p>Land value will be considered by an external valuer as part of the viability</p>

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			processes for how the Council will determine this to be the case.	assessment.
		Paragraph 2.42 (now paragraph 2.43)	Design quality could be extended to read: 'design and build quality'.	Agree – proposed change.  The wording has been amended.
		Paragraph 2.50 (now paragraph 2.51)	Should minimum fire safety standards in higher rise properties containing affordable accommodation also be included?	Disagree – no change required.  Fire standards form part of Building Regulations.
		Paragraph 2.52-2.60 (now paragraphs 2.53-2.61)	Would like to see a clear statement as to the Council's policy for its use of commuted affordable homes payments that it accepts.  Would particularly welcome prioritisation of expenditure on the building of affordable homes from commuted payments on sustainable brownfield sites.	Noted – no change required.  Commutated payments are only accepted in exceptional circumstances and are used to deliver affordable housing in appropriate alternative locations.
		Paragraph 2.56 (now paragraph 2.57)	Is this described in too prescriptive terms? Could there be situations where small-scale building of affordable homes within the High Weald will be both appropriate and viable, for example, Policy DP32?  Where that is the case, the Council should be able to resist accepting a commuted payment.	Noted – no change required.  If the scheme has a combined gross floorspace of more than 1000m <sup>2</sup> , or the site is a rural exception site, on-site affordable housing provision will be required.
		Paragraph 2.61 etc (now paragraph 2.63)	Affordable housing should still be secured in the regeneration of brownfield sites where it is viable to	Noted – no change required.

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			<p>do so, with viability being determined by the costs of construction, not the expectations of a return to the landowner.</p> <p>If the use of vacant building credit will not increase the affordable housing supply then CPRE will support this section of the draft SPD, but relies on the Council to maintain ongoing monitoring of the continuing validity of that assessment.</p>	<p>Vacant building credit will only be applied where it is necessary to bring back into use brownfield sites which would not otherwise be developed.</p>
		<p>Paragraph 2.79 (now paragraph 2.81)</p>	<p>Support Policy DP32. Omission that the Council should consult the Parish Council and have regard to any applicable neighbourhood plan.</p>	<p>Agree – proposed change.</p> <p>The following sentence has been added: 'Regard must also be paid to any applicable made neighbourhood plan'.</p>
		<p>Paragraph 4.0 (now paragraph 4.1)</p>	<p>Suggest reinforce this introductory paragraph by adding a statement to the effect that the Council will presume at all stages of the planning application and pre-application process that the applicant will be able to meet the District Plan requirements for the delivery of affordable homes or (where the District Plan so permits and the Council agrees) a commuted payment in lieu, and that it is for the applicant to demonstrate the contrary to the Council by robust and timely evidence in the required format to the extent that the applicant seeks to</p>	<p>Agree – proposed change.</p> <p>The following sentence has been added: 'The District Council will presume at all stages of the pre-application process and planning application that the applicant will be able to meet the District Plan requirements for the delivery of affordable homes'.</p>

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			challenge the financial viability of meeting in full the District Plan 's requirements.	
		General comment	Think some of the references to DP29 should be changed to DP31 and DP32.	Noted – proposed change.  The policy numbers have been checked and amended where appropriate.
		General comment	Defined terms should be contained in an appendix to the SPD rather than throughout the document particularly as the revised NPPF may change some of the definitions.	Disagree – no change required.  Defined terms are highlighted in the document and will be reviewed if appropriate following the introduction of the new NPPF and NPPG.
		General comment	Would suggest amalgamating all the policy guidance on the mix of housing, including affordable housing, and its deliverability/ viability into a single SPD.	Disagree – no change required.  The decision was taken that three separate documents would be more appropriate and would improve accessibility.
10	Highways England	General comment	Highways England does not have any comments to make at this point.	Noted – no change required.
11	Mid Sussex District Council	Minor amendment – Executive Summary	Deletion of reference to the SPD applying to five or more dwellings.	
		Minor amendment – paragraph 2.3	Additional wording added to third bullet point: '... (including service charges) ...'.	
		Minor amendment –	Additional wording added to the last	

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		paragraph 2.21	sentence: '... and nil public subsidy.'	
		Minor amendment – paragraph 2.36	Additional wording added to the first sentence: '...nil public subsidy and ...'	
		Minor amendment – paragraph 2.44	Amended to DCLG as it produced the guidance, however, a footnote has been added to reflect the change of name to MHCLG.	
		Minor amendment – paragraph 2.46	Additional wording added to the last sentence: '... as amended.'	
		Minor amendment – paragraph 2.52	Additional wording added to the last sentence: '... M4(3)(1)(a) as contained in Category 3 – wheelchair user dwellings of Schedule 1 of the Building Regulations 2010 as amended.'	
		Minor amendment – paragraph 2.60	Additional wording added to the refer to the Retail Prices Index.	
		Minor amendment – paragraph 2.62	New paragraph added: 'Commuted sums will be used to deliver affordable housing in appropriate, alternative locations.'	
		Minor amendment – paragraph 4.7	Amended to 'planning obligation'.	