



## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	27 FEBRUARY 2019	5
<b>DRAFT AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

#### SUMMARY

The Draft Affordable Housing Supplementary Planning Document (Appendix 1) is presented here for members' agreement, prior to further work and sustainability appraisal. The Affordable Housing SPD gives the Council support in its implementation of Policy H4 of the Local Plan, by requiring prior engagement with affordable housing Registered Providers in advance, requiring certain matters detailed in an Affordable Housing Statement to be submitted with a planning application, and providing detailed guidance on the calculation of discounts for Discount Market Sales Housing and for the calculations for the contributions required where affordable housing is to be provided off-site.

The results of the previous round of public consultation and how these have been incorporated are set out in the Summary of Representations, which is also provided for members (Appendix 2).

Officers will continue to work on the draft SPD and sustainability appraisal will be carried out. The draft SPD will then be put out for consultation, members will have a further opportunity to consider the SPD later in the year in the light of any comments received as a result of the consultation exercise subject of further work and sustainability appraisal. A final version will be presented to members later in the year and prior to the final consultation.

#### RECOMMENDATIONS

1. That the results of the consultation into the Affordable Housing SPD (Scoping) as set out in the Summary of Representations (Appendix 2) be noted.
2. That the Draft Affordable Housing Supplementary Planning Document (Appendix 1) be approved for further work and Sustainability Appraisal prior to being issued for public consultation.

#### SUMMARY OF PREVIOUS DECISIONS

14<sup>th</sup> November 2018 Planning Committee approved the Affordable Housing SPD Scoping document for public consultation.

10<sup>th</sup> September 2018 Planning Committee approved the LDS 2018 which states that the Council will commence work on four Supplementary Planning Documents. These are the Affordable Housing, Good Design, Healthy Living and Biodiversity SPDs.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services ( <b>Value for Money</b> )	✓
Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	✓
Working with all partners ( <b>Vibrant Economy</b> )	✓
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	✓
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	✓

## REPORT

- Supplementary Planning Documents (SPDs) provide greater clarity as to the requirements of Local Plan policies for specific situations or types of development. SPDs may not make policy, but rather provide guidance on the application of the policies contained in the adopted Fylde Local Plan to 2032.
- The Affordable Housing SPD is proposed to be one of the initial suite of four SPDs produced to support the policies of the recently-adopted Local Plan. The Affordable Housing SPD is considered necessary for a number of reasons:
  - To prevent disagreements about the tenures of affordable housing that are required;
  - To provide clarity for cases where occupancy restrictions should be applied to a parish or ward, for how long should those restrictions be applied when letting;
  - To prevent affordable housing within developments being of poor quality, segregated, poorly designed, poorly located or not provided;
  - To prevent disagreements as to whether off-site provision will be acceptable;
  - To provide a detailed framework where a developer wishes to challenge the requirement for affordable housing on a site on grounds of viability;
  - To prevent a failure to engage with the Council by developers prior to submission of an application;
  - To prevent negotiation of S106 agreements becoming prolonged;
  - To determine the level of discount required for discounted market sales housing;
  - To promote the supply of a range of affordable home sizes including some larger units; and
  - To promote innovative affordable housing products.

### Previous consultation

- The first stage of producing an SPD is to consult on what the SPD should contain, termed a “scoping” consultation. The results of the consultation are set out in the Summary of Representations (Appendix 2). There were 13 responses 6 of which were no comment.
- Consultation on the scope of the SPD was undertaken between 22nd November 2018 and 3rd January 2019. The Statement of Consultation in Appendix 2 to this report illustrates the results of that consultation, and how the issues and comments raised have been addressed in the development of this SPD.
- The principle of bringing forward the SPD had broad support in the consultation. Certain proposed requirements in relation to the contents of the Affordable Housing Statement and the need for early engagement with developers were not supported by some developers, but the Council considers that these are essential for the application of Local Plan policy. The proposed requirement for early production of Section 106 agreements was not supported by developers and there were reservations from some Registered Providers, and this requirement has been removed, following consultation with the Council’s legal department. Other initiatives in the document, particularly for the calculation of off-site contributions and the discount level for discount market sales housing, were widely supported.
- The Council response column in the Statement of Consultation includes reference to how the SPD has been changed in response to comments made.

## **The Draft SPD**

7. The Draft Affordable Housing SPD begins with an introduction and a review of policy and guidance. Relevant policy includes the adopted Local Plan, in particular Policy H4, the Neighbourhood Plans, the National Planning Policy Framework and several sections of the national Planning Practice Guidance.
8. The draft SPD considers the range of affordable housing tenures in Section 3. The draft SPD is not prescriptive in the tenure mix required, instead cross-referring to the Council's Affordable Housing Policy, which allows for flexibility over time in response to changing national policy, local need and deliverability for Registered Providers.
9. Section 4 sets out the requirement for affordable housing and how any exceptions to the requirement should be justified by the applicant.
10. Pre-application discussion is considered in Section 5, and is strongly encouraged. The Council will be introducing the requirement for an Affordable Housing Statement, and Section 5 and its related Appendices 2 and 3 set out what this should contain for different types of planning application.
11. Section 6 of the draft SPD sets out requirements for the size, type of affordable housing to be provided. It also provides some particular design points relating specifically to affordable housing, and specifies how affordable housing should be distributed within development sites.
12. Section 7 and its related Appendix 5 set out the way in which contributions for off-site provision of affordable housing must be calculated, in the exceptional circumstance that such provision is agreed by the Council to be acceptable.
13. Section 8 details the allocation policy of the Council that must be incorporated into the Affordable Housing Statement and S106 agreement,
14. Matters relating to viability appraisal, where an applicant wishes to justify reduced provision, are considered in Section 9.
15. Arrangements for producing legal agreements/undertakings are detailed in Section 10.
16. The Appendices to the Draft SPD will be provided as updates to this report.
17. The Affordable Housing SPD should result in more certainty in the delivery of affordable housing, faster decision-making and more certainty for applicants, by providing greater clarity as to the Council's requirements.

## **Next steps**

18. Officers will continue to work on the SPD and Sustainability Appraisal will be carried out. The draft SPD will then be put out for consultation; members will have a further opportunity to consider the SPD later in the year in the light of any comments received as a result of the consultation exercise.

IMPLICATIONS	
Finance	Contributions realised through Section 106 agreements will provide potential funding for future affordable housing projects where off-site provision is agreed by the Council Decisions to release s106 developer contributions in respect of any future schemes will be taken by Council or the Finance and Democracy Committee in accordance with the Council's financial regulations.
Legal	The SPD will undergo consultation in accordance with Regulations 12 and 13 of The Town and Country Planning (Local Planning) (England) Regulations 2012
Community Safety	None
Human Rights and Equalities	The Affordable Housing SPD is intended to augment the supply of affordable housing which will improve access to accommodation for disadvantaged individuals and families.
Sustainability and Environmental Impact	The Affordable Housing SPD promotes sustainable forms of development
Health & Safety and Risk Management	None

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection

#### Attached documents:

Appendix 1: Fylde Council Draft Affordable Housing Supplementary Planning Document (February 2019)

Appendix 2: Summary of Representations Received on the Affordable Housing Supplementary Planning Document (SPD): Scoping Consultation