

Forest Heath District Council

(This report is a key decision and has been subject to appropriate notice of publication under the Council's access to information rules)

Report of the Cabinet Member for Planning, Housing and Transport

CABINET

2 OCTOBER 2012

CAB12/031

LOCAL DEVELOPMENT FRAMEWORK – JOINT AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT (Key Decision Reference: OCT12/09)

Summary and reasons for recommendation(s)

A Supplementary Planning Document relating to Affordable Housing has been developed by St. Edmundsbury and Forest Heath to assist all involved in the delivery of affordable housing.

Prior to being adopted as a Supplementary Planning Document, the document needs to be the subject of public consultation and Cabinet will be requested to agree the draft Supplementary Planning Document for consultation at its meeting on 2 October 2012.

Members will recall that Cabinet, at its meeting on 29 May 2012, approved a version of this for public consultation. This consultation never commenced and further work has been done to the document to introduce a 'Local Connection Criteria' to enable the allocation of housing to those in need. It was necessary to receive the further approval of the Local Plan Working Group (achieved on 26 July 2012) and then Cabinet again before consultation on the amended document takes place.

Members should also note that, following agreement at the Local Plan Working Group, the matter has been presented to the equivalent meeting at St. Edmundsbury. This meeting suggested some further modest, and non-material, changes to the local eligibility criteria, which are explained in greater detail below, and which are shown in the final version of the SPD appended as Working Paper 1.

Cabinet are asked to consider the recommendation of the Local Plan Working Group and approve this document for consultation.

Recommendation(s)

It is recommended that the Joint Affordable Housing Supplementary Planning Document be approved for public consultation.

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How will the recommendations help us meet our strategic priorities?

Objective 1: To provide adequate provision in our planning policy framework to meet current and future housing needs

1. Encourage affordable homes and ensure adequate housing provision and the right choice of housing types through our planning policy framework.
 - a. In particular Action 1.1.3 and 1.1.4 specify
 - 1.1.3 Prepare and implement an Affordable Housing Supplementary Planning Document, and
 - 1.1.4 Develop a policy on commuted sums and ensure that its collection is allocated to the delivery of affordable housing off site.

Wards affected

2. The Supplementary Planning Document will be applied District-wide. It therefore affects all Wards.

Key issues and Discussion

3. Cabinet will note the previous consideration and approval of this draft document in May 2012. The revised draft SPD is appended to this report, with the additional paragraphs that relate to local eligibility criteria (5.30 and 5.31) included.
4. These set out the hierarchy of local connections that will apply when housing is being allocated. These seek to introduce a higher priority for allocation to people with greater local connections.
5. As introduced above, the matter has been reported to the equivalent meeting at St. Edmundsbury, and some non-material changes to the wording of the local eligibility criteria have been proposed and agreed by that meeting. These include the following changes (additions in blue and deletions struck through in red) to Para. 5.30 –

*5.30 Affordable Housing in Forest Heath and St Edmundsbury will primarily be allocated to those **in need** with a Local Connection to the Local Authority area. In rural parishes **on exception sites**, the affordable housing will be available in the first instance to people with a local connection to that parish, based on the following **sequential** criteria:*

I. current residence in the parish for a minimum period of two years; or previous residence in the parish, for a period of not less than five years; then

II. a family connection through mother, father, brother or sister, son or daughter, being resident in the parish for a period of not less than five years; and then;

*III. employment in the Parish, as a main place of work **on a time served basis; and then***

IV. ~~and then~~ current residence; family connection, where the time periods conditions referred to at i and ii above have not been met

Priority will be given in the order set out above. ~~Provided that~~ If no person with such a relevant connection to the parish can be nominated a person with an equivalent relevant connection with the [agreed parishes] can be nominated.

6. The changes are not considered material to the content of the document overall, but it is suggested that Members note these amendments in particular.
7. It also remains the case, and is accepted by Officers at both Authorities, that further very modest alteration will be required to articulate that an affordable housing scheme will be required to be agreed, if the mix of dwellings cannot be agreed during the lifetime of the application. This would be secured through a pre-commencement condition. Further discussion is continuing in this regard and it is possible that the necessary wording will have been agreed in time for Cabinet on 2nd October. Regardless, the addition of wording to articulate such within the SPD is not considered substantive and any necessary changes can be, if required, agreed and added to the document following the consultation, prior to approval for adoption by Cabinet in due course.

Timescales and what happens now?

8. If these changes are agreed consultation can commence as soon as required. In this instance however, it is proposed to run the consultation at the same time as the Development Management Policies consultation since there are significant benefits to both the Council and to potential respondents in running them together. The DM Policies were due to be presented to the Special Council meeting on 26th September 2012 and consultation will commence in October for a period of 8 weeks. All responses to the consultation will be reported and if necessary, a modified version of the document will be put forward for further approval with the final document anticipated to be adopted around February 2013.

Other options considered

9. The purpose of this document is to provide additional information and guidance with regard to our existing policy framework.

Community impact

10. The Local Development Framework delivers sustainable development and environmental protection and enhancement through the planning system. Each Policy is subject to a 'Sustainability Appraisal' and 'Strategic Environmental Assessment' to ensure the policy has no significant environmental, social and / or economic adverse effects.

What consultation has been undertaken and what were the outcomes?

11. This report seeks approval to progress to consultation. The results of the consultation will be reported to the Local Plan Working Group in the first instance and taken into account in producing any further versions of this document.

Financial and resource implications

12. The Development Management Policies DPD can be delivered within the projected Local Development Framework budget. This includes provision for professional fees and community consultation to ensure that the timetable for delivery of the Local Development Framework is met.

Risk management implications

13. Without proper community engagement in the process, an SPD will not proceed to adoption. The preparation of an up to date planning policy framework is a statutory requirement and the lack of such a framework militates against the proper planning of the District and, particularly in light of the new National Planning Policy Framework, could place the Council at risk of planning appeals being upheld with the possible award of costs against it.

Legal/Policy implications

14. Planning and Compulsory Purchase Act 2004. The Town and Country Planning (Local Development) (England) (Amendment) Regulations, 2012

Documents attached

Working Paper 1 - Draft Joint Forest Heath and St Edmundsbury Affordable Housing SPD.

Background papers

None.