

Appendix 2

Summary of Responses to the Affordable Housing Supplementary Planning Document Consultation

The following table sets out a summary of the responses to the draft Affordable Housing SPD which was published for consultation in January 2008. The table also includes the Council's comments on the responses and the final column indicates whether or not a change has been made to the SPD.

Respondent	Summary of response	Council comment	Change To SPD
Response Number: 10 Respondent: South Pool Parish Council Agent: N/A	The Parish Council is concerned that the document does not include control over who will occupy the affordable Homes. Concern that they could be allocated to people outside the local area, this could affect keeping local young people in their communities which are under threat from second homes and high property prices.	The Council supports local connections schemes in a number of circumstances, notably on rural exception sites. Such conditions would be secured through a s.106 agreement. Para 6.13 SPD has been amended to reflect the use of local connection criteria.	YES
	Question that the tax on builders of affordable houses will be passed onto the house buyers and that this money should be raised from Central Government.	The Council's approach does not tax the purchasers of new build properties. Subsidy provided for affordable housing is a planning obligation which influences land values and not house prices.	NO
Response Number:14 Respondent: Malborough Parish Council Agents N/A	Malborough Parish Council would strongly support the concept of "at cost" provision for intermediate housing. It is not ethical for houses to be built and valued at local prices, then sold at a discount rather than at cost.	The Council aims to develop "at cost" models in due course. In the meantime however, traditional forms of low cost home ownership will be supported.	NO
	Concern over the position of self builders where one house is built the 10% contribution would be harsh, could that be collected as or when a sale occurs. They feel that the scale of contribution for a 1 bed flat is half that of a 4 bed house, the area has	One unit threshold no longer applicable following Inspectors Report	NO

Appendix 2

	enough larger houses but there is a need for smaller units for people to move up from affordable units.		
Response Number: 20 Respondent: Totnes Town Council Agents N/A	<p>Welcomes the drive by SHDC to develop a structure to deliver affordable Housing to Totnes. Accepts the criteria that a minimum of 50% and welcomes in the increase to 55% in Totnes on allocated sites, but greater proportion should be achieved to match the affordable housing needs of Totnes. To ensure SHDC is capable of enforcing Nomination Agreement to the benefit of Totnes. 106 agreements should ensure that benefits come back into the community and not used to offset development costs.</p> <p>Design standards should be the highest for Sustainable housing and reflect the cost of running the homes.</p>	<p>In general, housing nominations/allocations are a matter of housing legislation rather than an issue to be dealt with through SPD.</p> <p>High design standards are encouraged in the document and will meet, and where possible, exceed the standards set down by the Housing Corporation as a condition of funding.</p>	<p>NO</p> <p>NO</p>
Response Number: 920 Respondent: Dave Parsons Environment Directorate Agents N/A	<p>Reference made to the need in some circumstances to require lifetime homes. The Sherford AAP (adopted) allows for 20% Lifetime Home Standard and the SPD should reflect this. Exact Targets should be properly evidence based.</p>	<p>Lifetime homes are included at section F of the document</p>	<p>NO</p>
Response Number: 1078 Respondent: Taylor Wimpey Agent: DPDS	<p>D7.4 / D7.5 – re. financial information submitted to Council as part of open book assessment. C.05/05 states that where there is disagreement both parties may agree to an independent third party to consider financial information supplied by the developer on a</p>	<p>This may be appropriate in certain circumstances and the Council would consider such an approach. The Council is however seeking to procure an independent viability assessment tool and it may be the Council's preference to use this approach.</p>	<p>NO</p>

Appendix 2

	<p>strictly confidential basis. Availability of independent advice should be incorporated into the SPD.</p> <p>General Objection – SPD places onus on developer to take account of AH requirements in negotiating land price. Only possible if requirements are well known in advance. Larger sites often held on option or conditional agreement. SPD needs to recognise such agreements as material to the negotiation of AH requirements. Otherwise, developments will be uneconomical and no houses will be built. SPD should state firm date when AH will be sought on the basis of the DPD to give considerable time to allow land allocations to reflect the policy and explanation.</p> <p>D5.1-D5.8 – Control of transfer prices from Developer to RSL at build costs do not meet the requirements of Circular 05/05. Unreasonable to quote build costs in table D1. Lack of detail on what specifications the build costs are based on. Cost to developer of transfer of AH unit at the reasonable build cost – makes no mention of the cost to the developer of providing the capital or borrowing for these units. Need to make allowance for developers profit on AH.</p>	<p>Flexibility is a key part of the approach and such factors will be taken into account. This is explicit within the document without making reference to every possible scenario</p> <p>Build costs are based on the BCIS index as detailed in the document. The build costs indicated are intended to guide discussions and are not intended to be prescriptive.</p>	<p>NO</p> <p>NO</p>
<p>Response Number: 1109 Respondent: Newton & Noss Parish Council</p>	<p>A5.6 – Consultation on SPD should be delayed until full review of the Housing Strategy has been completed</p> <p>B1.1 - Planned adopted of DPD (Jan 09) – HMNA</p>	<p>The mechanisms set out in the SPD are unlikely to affect or be affected by the Housing Strategy.</p> <p>HMNA valid at the time of examination. Further</p>	<p>NO</p> <p>NO</p>

Appendix 2

<p>Agent: N/A</p>	<p>will be out of date (3 years)</p> <p>D5.5 – Table D1 & E1 should starting base date for price guide</p> <p>E2/E3 – Commuted contributions must be used to subsidise AH development within the locality of the original development (say 5 miles).</p> <p>E5.2 – Commuted land fees should be ring fenced solely for the direct provision of AH.</p> <p>F1.1/F1.2/F1.5 – Need to be more explicit how innovative approaches will be used.</p> <p>F1.1 (and F3.2 & F3.3) and C3.3 are mutually contradictory.</p> <p>F1.5 – Needs to be explicit how RSLs will be chosen and evaluated (& appendix B).</p> <p>F2.5 – In rural areas Council must give priority to</p>	<p>HMNA to be commissioned in accordance with best practice.</p> <p>Build costs are based on the BCIS index as detailed in the document. The build costs indicated are intended to guide discussions and are not intended to be prescriptive.</p> <p>The preference will be to spend locally however this may not always be possible. Commuted sums will therefore be ring fenced for the whole district.</p> <p>Commuted sums are ring fenced for affordable housing and this is explicit within the document.</p> <p>The SPD recognizes in section F that there is a mixed economy of providers including non-RSL organisations which have the ability to provide affordable housing.</p> <p>As above the Council recognises the mixed economy of providers and is open to innovative approached such as Community Land Trusts. RSL delivery is a proven route to delivery but the Council does not seek to prescribe a delivery partner.</p> <p>The Choice of an RSL for rural schemes is often a joint approach with the community. The Council has a panel from which it recommends not does not seek to prescribe a delivery partner.</p> <p>The Council supports local connections schemes in</p>	<p></p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>YES</p>
-------------------	--	--	--

Appendix 2

	<p>local applicants in need.</p> <p>F3.7 – Suggest changing “...a standard Section 106 agreement..” to “...a model Section 106 agreement...”</p>	<p>a number of circumstances, notably on rural exception site. Such conditions would be secured through a s.106 agreement. Para 6.13 of the SPD has been amended to reflect the use of local connection criteria.</p> <p>Agreed</p>	<p>YES</p>
<p>Response Number: 1128 Respondent: Midas Homes Agent: Tetlow King</p>	<p>A3 – Retain SPD, content of AH DPD should be included in the Development Control Policies DPD</p> <p>B1 – Housing need should be placed in the context of the HMNA.</p> <p>C1 – Delete targets (C1.2), sliding-scale and distinction between on/off site contributions (C1.3). Introduce text that allocated and unallocated sites will be expected to contribute towards the strategic target and presumption will be for on-site provision unless exceptional circumstances can be demonstrated. Raise objections to the AH DPD.</p> <p>D1 – Set out parameters for negotiation (such as viability, site size, location etc.) and requirement to submit an affordable housing statement with applications, where appropriate.</p> <p>D5 – include off-site provision within scope of price</p>	<p>Issue to be considered through representations to Development Control Core Policies</p> <p>Housing need detailed within the document is derived from the HMNA data and is therefore within the context of the HMNA</p> <p>Matter for DPD. SPD sets out mechanisms required in order to deliver the policies of the DPD</p> <p>Agreed – Para 4.2 of the document amended.</p> <p>Off site provision is reflected elsewhere within the</p>	<p>NO</p> <p>NO</p> <p>NO</p> <p>YES</p> <p>NO</p>

Appendix 2

	<p>mechanism</p> <p>D7 – Remove reference to ‘exceptional circumstances’.</p> <p>Remove compulsion to use Grimley model (to prescriptive and not widely used). Delete appendix E.</p> <p>E1 – Extend scope to include all types of site. Should be no distinction between on/off site contributions.</p> <p>E4 – Delete and combine with E1</p> <p>F1 – Remove list of preferred partners and clarify criteria by which providers will be assessed</p> <p>F4.1 – include ref to high design <u>and architectural standards</u>.</p>	<p>SPD and provides flexibility for this to occur in certain circumstances</p> <p>Exceptional circumstances removed from Para 4.32 following Inspectors Report.</p> <p>No compulsion to use Grimley model, SPD refers to an appropriate economic appraisal tool</p> <p>Scope to accept off site contributions is detailed within the section.</p> <p>E1 sets out the general approach, subsequent sections set out appropriate types of alternative off site provision.</p> <p>List of providers is not prescriptive; it simply serves to identify RSLs with whom the Council has an ongoing relationship. The Council recognises the existence of a mixed economy of providers including non-RSL organisations and does not seek to preclude alternative providers.</p> <p>Agreed – Para 6.17 of the document amended.</p>	<p>YES</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>YES</p>
<p>Response Number: 1130 Respondent: Persimmon Homes Agent: White</p>	<ul style="list-style-type: none"> • Considers the SPD is unsound as it should relate to the policy of an adopted document. • B3.7 – Objects to the uncertainty over the development of a local intermediate housing 	<p>SPD amended to reflect inspectors binding Report</p> <p>The use of local intermediate models would not seek to create a requirement for additional levels of</p>	<p>NO</p> <p>NO</p>

Appendix 2

<p>Young Green</p>	<p>model by the Council, requests that this should be the subject of consultation.</p> <ul style="list-style-type: none"> • Section B – Comments that changing social and economic circumstances may either increase or decrease the level of affordable housing need. Migration out of the district is a result of limited supply. • Section C – Object to the high proportion of affordable housing from individual sites. • C2.1 – Object to the tenure mix proposed of 60% rented and 40% intermediate housing. Request that levels of affordable housing sought from development must be reasonable and based upon an understanding of the economics of the development of the site. • C4.3 – Considers the relationship of the DPD to the Core Strategy and of the SPD to the DPD on affordable housing to be confusing. Believes that work on the SPD should be suspended until such time as the DPD has been adopted. • D3.3 – Object to the cumulative impact of S106 requirements, including the 50% affordable housing target in particular, as this may impact on viability and not only is there no market housing produced but also no affordable housing. Rise in agricultural land prices may 	<p>subsidy. A partnership approach and input from the development industry would be welcomed in developing such models.</p> <p>Comments Noted</p> <p>DPD Issue</p> <p>Amended at Para 3.3 following Inspectors Binding Report</p> <p>DPD and SPD scheduled for adoption at the same time.</p> <p>Viability Issue considered at DPD EiP. Flexibility of approach is highlighted within the SPD</p>	<p>NO</p> <p>NO</p> <p>YES</p> <p>NO</p> <p>NO</p>
--------------------	---	---	--

Appendix 2

	<p>mean that the sale of land at reduced residential market values, as a result of Section 106 requirements, may no longer be quite as attractive as it was in the past.</p> <ul style="list-style-type: none"> • D4.3 - Object to the open book approach since it cannot guarantee commercial confidentiality which is essential to the operation of listed companies. • D7.4 – Considers that the Council should not be the final arbiter in what is or is not viable in any particular set of circumstances - the Council may not fully understand the costs and overheads of a company operating in the district. Object to Appendix E as it requires disclosure of confidential information. Comment that it is very unusual for developers to understand full details of costs associated with the development of a site. In respect of open books, consider that Councils are not in a position to understand the operation of individual companies and come to simplistic conclusions about what may or may not be accepted as a viable scheme – public sector and private sector accounting systems are quite different. Furthermore, there is no justification in any Government policy for open book accounting procedures. • Appendix B – Delete as not in conformity with national policy. 	<p>Section 4.26 has been amended following receipt of the Inspectors Report.</p> <p>Section 4.26 has been amended following receipt of the Inspectors Report.</p> <p>Reference to the Council’s preferred partners serves to highlight existing relationships and does not seek to prescribe a particular Affordable Housing Provider</p>	<p>YES</p> <p>YES</p> <p>NO</p>
--	---	---	---------------------------------

Appendix 2

<p>Response Number: 1200 Respondent: Stokenham Parish Council Agent: N/A</p>	<ul style="list-style-type: none"> • F1.4 – F1.6 – Request that there is consultation with the town and parish council’s before a preferred partner is selected to provide affordable housing. • Note that the Council are developing a standard S106 and request to be consulted on this document particularly where it relates to potential benefit for the community. 	<p>Reference to the Council’s preferred partners serves to highlight existing relationships and does not seek to prescribe a particular Affordable Housing Provider.</p> <p>Request Noted.</p>	<p>NO</p> <p>N/A</p>
<p>Response Number: 1203 Respondent: Mr P Swallow Agent: N/A</p> <p>Response Number: 1204 Respondent: Mrs C M Seager-Berry Agent: Hopwood and Swallow</p> <p>Response Number: 1205 Respondent: The Dartington Hall Trust Agent: Hopwood and Swallow</p>	<ul style="list-style-type: none"> • Concerned that funding of affordable housing through Section 106 Planning Legal Agreements and Obligations should follow national policy as advised by the Inspector to the LDF Core Strategy. • Comment that obligations should be directly related to the proposed development, and must be fairly and reasonably related in scale and kind to the proposed development. Therefore, suggests that the Council should not use planning obligations to resolve existing deficiencies infrastructure provision or to secure contributions to the achievement of wider planning objectives not necessary to the achieve planning permission for a particular development. • Object to the detailed mechanisms of achieving affordable housing, including the level of contribution and retention of affordable housing 	<p>Affordable Housing will be delivered in accordance with National Policy.</p> <p>Affordable Housing Target agreed by planning Inspectorate. Off site payments calculated on the principle of equivalence and therefore fairly and reasonably related in scale and kind to the proposed development.</p> <p>Detailed mechanism and reference to perpetuity reviewed and simplified following representations and receipt of Inspector’s Report.</p>	<p>NO</p> <p>NO</p> <p>YES</p>

Appendix 2

<p>Response Number: 1210 Respondent: Mr G Patch Agent: Hopwood and Swallow</p> <p>Response Number: 4355 Respondent: Mr M Sterland Agent: Hopwood and Swallow</p>	<p>in perpetuity, contained in the SPD – suggest that this detail should be subject to Independent Examination.</p> <ul style="list-style-type: none"> • Suggest that the SPD is merged into the AH DPD so that the mechanisms required to deliver both open market and affordable housing is clearly understood. • Objects to the detail provided on each policy in the SPD and consider it is unnecessary as it repeats detail provided in the AH DPD. • Objects to the detail provided on the implementation of Policy suggesting that this should be included in the DPD. • Objects to the suggestion that the SPD will be used on an informal basis to aid negotiations before the AH DPD is adopted. • Viability – request that the Council lists the other contributions sought in addition to affordable housing, e.g. financial contributions towards open space, education etc. in order that the landowner is aware of all contributions. • Request that the reference of public subsidy relating to the provision of affordable housing should be included in the AH DPD rather than the SPD. 	<p>Mechanisms and Policy should be separate.</p> <p>Whilst the document does not seek to set out all of the AH-DPD. It is essential that key elements such as thresholds and tenure targets etc are referred to.</p> <p>SPD sets out the detailed mechanisms required to deliver the policies of the AH-DPD.</p> <p>Comment superseded by receipt of Inspectors report on DPD and imminence of adoption of the SPD and DPD.</p> <p>Full range of contributions will be set out in a separate Planning Obligations SPD.</p> <p>Issue for DPD. The use of subsidy is however a key element of delivery and needs specific reference within the SPD.</p>	<p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p>
--	---	---	---

Appendix 2

	<ul style="list-style-type: none"> Do not believe that the AH DPD & SPD will deliver the much needed housing and affordable housing and both documents are therefore unsound. Consider that the target levels will undermine the delivery of housing, including affordable housing, suggest targets should be more realistic and set in the context of the details contained within the Core Strategy and the Inspectors report relating to the Examination of that DPD. 	<p>Comments Noted.</p> <p>Comments Noted.</p>	<p>NA</p> <p>NA</p>
<p>Response Number: 1250 Respondent: SWRA Agent: N/A</p>	<p>Should be in line with the Submission Stage of the Affordable Housing DPD and Policy CS6 of the Core Strategy. Both are in general conformity with the RSS so should the SPD.</p>	<p>SPD reflects the policies of the Core Strategy and the AHDPD.</p>	<p>NO</p>
<p>Response Number: 1252 Respondent: Natural England Agent: N/A</p>	<p>It should be ensured that the SPD is framed as far as possible in a way that does not conflict with the aims and the use of the levy. Planning gain contributes to sustainable development and good quality housing/the wellbeing of communities should be ensured.</p>	<p>Consideration has been given and reflected within the SPD.</p>	<p>NO</p>
<p>Response Number: 1258 Respondent: Staverton Parish Council (Patricia Layley) Agent: N/A</p>	<p>Is in support of the SPD</p>	<p>Comments Noted.</p>	<p>N/A</p>

Appendix 2

<p>Response Number: 1265 Respondent: McCarthy and Stone Agent: Levvel Ltd</p>	<p>Question the role of the SPD and the evidence to support it, especially around viability and deliverability.</p> <p>Call for a strategic housing land availability assessment and more research on the availability of grant and other funding sources to support the SPD.</p> <p>Question the use of the SPD as informal guidance prior to formal adoption of the AHDPD and AHSPD. Consider the level of detail included in the SPD is excessive.</p> <p>Repeat concerns raised about the policies set out in the AHDPD.</p> <p>Request that the policies are applied in a flexible way.</p> <p>Request that the list of developments exempted from making a contribution should include residential developments that meet another priority housing need, particularly for the elderly or frail elderly.</p> <p>Question the approach to developer subsidy promoted, suggesting instead a maximum contribution should be: developer subsidy = open market land price –</p>	<p>Issue dealt with through EiP of AH-PDP. The evidence base for the DPD, notably the development Viability Study, has informed the SPD.</p> <p>SHLAA being undertaken although not an issue for SPD. Availability of grant has been considered although provision has been made within the SPD for circumstances where grant funding is not available.</p> <p>SPD to be formally adopted during September 2008.</p> <p>Issue for DPD.</p> <p>Issue for DPD. SPD acknowledges the need for a flexible approach as contained within the revisions to the AH-DPD following the Inspector's Report.</p> <p>The Council does not agree that such development should be exempt. This view has been tested and approved following examination.</p> <p>Consideration has been given to appropriate levels of developer subsidy, both on and off site. The Council supports the FLSE equivalent as an appropriate approach.</p>	<p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p>
--	---	---	---

Appendix 2

	<p>affordable housing land price</p> <p>Question the use of BCIS construction cost to accurately reflect construction costs. Suggest an alternative approach which includes the costs of building the unit and the cost of delivering that unit.</p> <p>Suggest changes to the cascade mechanism so that where it is not viable to meet the affordable housing requirement in full either the amount of affordable housing is reduced, or that an alternative tenure mix is accepted.</p> <p>Question the open-book approach recommending instead that development viability appraisals are undertaken using generic appraisals and benchmark inputs.</p> <p>Request that the SPD sets out clearly what circumstances a commuted sum would be acceptable, and suggest the difficulties around providing mixed tenure sheltered schemes justify such a contribution in such cases.</p> <p>Highlight the lack of reference to monitoring and review, and suggest this omission is addressed.</p>	<p>BCIS is a recognised benchmark and therefore deemed appropriate. The build costs indicated however are intended to guide discussions and are not intended to be prescriptive.</p> <p>Cascade mechanism at 4.22 changed for clarity and greater simplicity</p> <p>Section dealing with viability issues at 4.26 has been amended following receipt of the Inspector's Report.</p> <p>SPD does set out the general circumstances in which an off site contribution would be acceptable.</p> <p>Dealt with through the DPD monitoring requirements. SPD will be reviewed as required and in accordance with best practice.</p>	<p>NO</p> <p>YES</p> <p>YES</p> <p>NO</p> <p>NO</p>
<p>Response Number: 1288 Respondent:</p>	<p>Question the Free-Serviced Land Equivalence approach as it still requires RSLs to obtain public grant. Suggest the supportable deficit approach as</p>	<p>The requirement for grant to deliver the Council's policy targets is recognised. The FSLE approach sets a baseline level of subsidy on which to draw in</p>	<p>NO</p>

Appendix 2

<p>South West RSL Planning Consortium Agent: Tetlow King</p>	<p>an alternative, arguing as long as it is applied flexibly, this offer an approach more adaptable to individual sites and fits better with Housing Corporation funding requirements.</p> <p>Welcome the importance placed on design and suggest maximum groupings of affordable housing should be determined on a site by site basis but usually be in groupings of 8-12 units.</p> <p>Suggest adding a model Section 106 agreement as an appendix to the SPD.</p> <p>Request a statement saying affordable housing is a planning gain in itself, to help encourage developers to offer affordable housing as part of their proposals.</p> <p>Request clarification of the role of key workers in the strategy and include a definition of key workers.</p> <p>Request that a statement is included saying that affordable housing will be subject to reduced education contributions as the majority of families housed are drawn from within the local area.</p>	<p>grant if required. Alternative approaches such as the supportable deficit approach have been considered. It was found to generate a higher level of developer subsidy per unit than the FSLE approach and therefore not practical in viability terms in the South Hams policy context.</p> <p>Agreed – Para 6.19 of the document amended.</p> <p>Currently under development but will be appended in due course.</p> <p>Planning gain is dealt with more comprehensively within the Council's Draft Planning Obligations SPD including the prioritisation of planning obligations.</p> <p>The Council's broad approach enables flexibility to determine the definition of key workers as is demonstrated by need. This may mean a local definition outside of that defined by government. The document specifically avoids the classification of keyworkers to enable flexibility.</p> <p>This is not under the control of the Council and is a matter for Devon County Council.</p>	<p>YES</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p>
<p>Response</p>	<p><u>Section A</u></p>		

Appendix 2

<p>Number: 3728 Respondent: Severn Development UK Agent: N/A</p>	<p>Question the use of the SPD as informal guidance prior to formal adoption of the AHDPD and AHSPD.</p> <p><u>Section C</u></p> <p>Suggest the requirements to engage with only affordable housing officers are inadequate, and question the availability of resources/advice from development control on capacity of sites.</p> <p>Suggest holiday homes should be exempt from affordable housing contributions.</p> <p><u>Section E</u></p> <p>Question the 15% on top of plot value- suggest only the 39% figure is supported by evidence.</p> <p>Any data used to index link land value should be references to an area, not applied on a notional basis.</p> <p>It is not clear if the policy applied to extant permissions that then come back for a higher density development. IT is also not clear if it is the incremental increase in numbers, or the number of units granted permission that is used. More clarity is needed.</p>	<p>SPD to be formally adopted during September 2008.</p> <p>Affordable Housing Team is resourced sufficiently to provide advice on all aspects of affordable housing. Other issues relating to development control should be sought separately.</p> <p>Resolved through the Planning Inspectorate approval of the AH-DPD.</p> <p>The additional 15% reflects the costs of acquisition and servicing an alternative site and is based on professional advice from independent consultants.</p> <p>A location specific approach would be overly complex. The variance is expected to be minimal and therefore the approach is considered equitable.</p> <p>A flexible approach to such situations will be applied to reflect site specifics and viability. Early consultation is encouraged.</p>	<p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p>
<p>Response</p>	<p>No further comments</p>		

Appendix 2

<p>Number: 3731 Respondent: Strete Parish Council (Andrea Phillips) Agent: N/A</p>			
<p>Response Number: 3735 Respondent: Allcroft Ltd</p>	<p>Finds last sentence of A.36 ambiguous and unclear. Asks when the SPD will be adopted if it is to be adopted alongside DPD, should not be used as a material consideration in the meantime if SPD is to be adopted before DPD it would be contrary to PPS12 2.43.</p> <p>A3.4 does not appear to have anything to do with the “stalls” & link between SPD and AH DPD (referred to in A5.3)</p> <p>D7.1 Reference made to AH- DPD submission rep which says that a minimum 16 week wait for pre-app with DC officers could result in possibility of losing the land deal. Council Respond saying that a Housing Enabler would be available at shorter notice, but that certain aspects (e.g. site capacity) could only be properly assessed by a PO</p> <p>E4.4 Additional 15% added to resulting plot volume does not seem justified or explained as reasonable. Not based on robust or credible evidence base.</p> <p>E4.10 Wide regional variance in land registry figures and the policy should be made clear that it refers to</p>	<p>Now deleted.</p> <p>The purpose of this paragraph is to set out the purpose and status of the document in relation to the Council’s duties and also to other documents.</p> <p>The Affordable Housing Team is resourced sufficiently to provide advice on all aspects of affordable housing. Other issues of relating to development control should be sought separately.</p> <p>The additional 15% reflects the costs of acquisition and services an alternative site and is based on professional advice from independent consultants.</p> <p>Local authority area is considered to be more appropriate. Low turnover or a particularly high</p>	<p>YES</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p>

Appendix 2

	<p>the LR data held for the postcode in which the development takes place</p> <p>F3.1 Unclear from wording what policies AH1-5 refers to and should refer to AH DPD</p> <p>F3.7 SPD cannot be considered to be clear to representations until this document is available and reps made on this as well.</p> <p>Questions whether the affordable threshold should apply to the net increase only or entire numbers in planning application.</p> <p>PPS12 2.44 AH SPD contains much policy which should properly be in AH DPD and subject to independent scrutiny</p> <p>AH SPD in conflict with the requirements of PPS12 page 25 SA & SEA</p>	<p>value sale in one location may provide misleading data. A location specific approach may also be overly complex. The overall variance is expected to be minimal and therefore the approach is considered equitable.</p> <p>Agreed, section 6 amended accordingly.</p> <p>Consultation will take place prior to the formal adoption of a model section 106 agreement.</p> <p>A flexible approach to such situations will be applied to reflect site specifics and viability. Early consultation is encouraged.</p> <p>Respondent does not identify which areas are considered to be policy. It has therefore not been possible to comment. The Council would however suggest that the SPD is appropriate in its role and remit.</p> <p>Appropriate SA has been completed.</p>	<p>YES</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p>
<p>Response Number: 3736 Respondent: Cavanna Homes Agent: D2 Planning</p>	<p>D5 – Affordable Housing transfer prices Overly prescriptive does not enable developers to negotiate with Housing Associations on level to be paid, recommend that proposed build costs should be deleted.</p>	<p>SPD makes clear that the build costs are intended to guide negotiations. Provisions are made for circumstances where specification, etc. requires a higher build cost.</p>	<p>NO</p>

Appendix 2

	<p>07 – Dev Viability</p> <p>Unrealistic to exclude matters such as retaining walls. All matters excluded should be included in definition of abnormals and full list of abnormals identified.</p> <p>EI-Contributions in lieu and commuted payments</p> <p>No justification for level of commuted sum payments sought. At level set, would frustrate delivery of AH. Specifics of each site not taken into account. Reconsider level of C.S.P</p> <p>FI RSL</p> <p>Developers should not be prohibited in working with RSL's outside Council's preferred list. Ensure that choice of RSL is not frustrated whilst Council can suggest RSL, developer should be allowed to partner any RSL to deliver AH</p>	<p>Viability will be considered on a site by site basis and have regard to abnormals which are clearly defined within the document.</p> <p>Commuted sum approach has been based on the principle of equivalence and reflects detailed research and viability testing by independent consultants.</p> <p>List of providers is not prescriptive; it simply serves to identify RSLs with whom the Council has an ongoing relationship. The Council recognises the existence of a mixed economy of providers including non-RSL organisations does not seek to preclude alternative providers.</p>	<p>NO</p> <p>NO</p> <p>NO</p>
<p>Response Number: 3740 Respondent: Plymouth & SW Co-op Society Agent: Tetlow King Planning</p>	<p>A3 - Retain SPD but delete AH DPD and place content in DC Policies</p> <p>B1 - Place Housing need in the content of the HMNA</p> <p>C1 - Delete targets sliding scale and distinction</p>	<p>DPD Approved by Planning Inspectorate.</p> <p>Housing need detailed within the document is derived from the HMNA data and is therefore within the context of the HMNA.</p> <p>Matter for DPD representation.</p>	<p>NO</p> <p>NO</p> <p>NO</p>

Appendix 2

	<p>between on and off-site contributions fundamental objection that policies AH2 & 3 in DPD not subject to SA</p> <p>D1 – Set out parameters for negotiation and requirement to submit an AH statement with applications wherever relevant include an AH negotiation flowchart</p> <p>D5 – Include off-site provision within scope of price mechanism. Off-site contributions may be appropriate in exceptional circumstances.</p> <p>D7 – Remove reference to “exceptional circumstances”.</p> <p>Remove compulsion to use prescribed models and delete Appendix E</p> <p>E1 – Extend scope and include all types of site thus necessitating off-site contribution</p> <p>E4 – Merge with E1 for greater clarity</p> <p>F1 – Remove list of preferred partners and clarify criteria by which providers will be assessed.</p>	<p>Acknowledge the usefulness of an affordable housing flowchart and suggestion valued and will be considered outside of SPD.</p> <p>Off site provision is possible in exceptional circumstances. This is reflected elsewhere within the document.</p> <p>Exceptional circumstances removed from Para 4.32 following Inspectors Report.</p> <p>No compulsion to use Grimley Model. Appendix E intended as a guide to demonstrate the type of information which may be required.</p> <p>DPD issue.</p> <p>E1 sets out the general approach, subsequent sections set out appropriate types of alternative off site provision.</p> <p>List of providers is not prescriptive, it simply serves to identify RSLs with whom the Council has an ongoing relationship. The Council recognises the existence of a mixed economy of providers including</p>	<p>NO</p> <p>NO</p> <p>YES</p> <p>NO</p> <p>NO</p> <p>NO</p> <p>NO</p>
--	---	---	--

Appendix 2

	Principal concern is that Draft SPD is based on unsound policies and that SPD as drafted is invalid	non-RSL organisations does not seek to preclude alternative providers. DPD resolved and found sound	NO
Response Number: 3957 Respondent: Dartington Parish Council (Alida Whitaker) Agent: N/A	In relation to <i>para B1.2</i> The Annual Affordable Housing Shortfall will depend on the economic factors and political pressure. The housing need is estimated too high for the South West where the economy is based on Tourism and Agriculture. No further comments	Comment noted	NO
Response Number: 4351 Respondent: Bigbury Parish Council (Terry Edgecombe) Agent: N/A	<i>Section C</i> The proposed financial contributions increase the costs to developers which has the effect of making the proposed housing un-affordable i.e. another tax <i>F4.8</i> Parking spaces should be incorporated in the development, min. 2 per property <i>F4.7</i> This appears to address a concern regarding the awareness (or lack of) of the level of Council Tax future tenants are to be charged. <i>F3</i> Provision should be included that affordable housing in rural exception sites should be for local people, "local" constituting as:	Financial contributions are based on a thorough and independent viability assessment. The impact is on land values and not house prices and therefore it will not affect affordability. Issue more appropriately dealt with within other SPD. Comment noted. The Council supports local connections schemes in a number of circumstances, notably on rural exception site. Such conditions would be secured through a s.106 agreement. Para 6.13 of the SPD	NO NO NO YES

Appendix 2

	<ul style="list-style-type: none"> Born within the Parish boundary Resided within the parish boundary for the last ten years 	has been amended to reflect the use of local connection criteria.	
Response Number: 4352 Respondent: Rattery Parish Council (Peter Smerdon) Agent: N/A	Is in support of the SPD		
Response Number: 4353 Respondent: Redtree Agent: Pioneer Property Services	Question the consultation process around the SPD. <u>Section B</u> Suggest that a PPS3 compliant Strategic Housing Market Needs Assessment is required, and that such a document would necessitate a review of much of the SPD. Highlight it is not possible to charge differential service charges for the same level of service and therefore flexibility on the location of affordable housing, particularly flatted scheme may be required. The SPD should include reference to the Council's support for new intermediate housing models, including those from grant free providers. This may impact on the type and tenure of affordable housing units that can be provided.	SPD subject to appropriate consultation HMNA evidence deemed appropriate by the Planning Inspectorate SPD does not set a requirement to charge different services charges. The purpose of the statement is to highlight an issue that needs to be considered on a site by site basis. The Council is open to new models of intermediate housing and this is reflected within the document.	NO NO NO

Appendix 2

	<p><u>Section C</u></p> <p>Repeat concerns raised about the policies set out in the AHDPD their suggested changes to this. If accepted by the Inspector, changes to the SPD would be needed to reflect these amendments.</p> <p>Suggest clarification is needed that regional policy does not set out a tenure split.</p> <p>Repeat concerns over the need for a PPS3 compliant strategic housing market assessment, and the implication such a document would have for the SPD.</p> <p><u>Section D</u></p> <p>Suggest DPD needs amending around issue of viability and the status of emerging documents. Question open-book approach suggesting reference to discussion with developers is more appropriate.</p> <p>Suggest need to clarify Table D1 is for guidance only.</p> <p>Suggest amendments to ensure other intermediate</p>	<p>SPD has been amended to reflect the binding report of the Planning Inspectorate</p> <p>SPD clearly states that the Regional Housing Body tenure split is a recommendation rather than a regional requirement.</p> <p>HMNA evidence deemed appropriate by the Planning Inspectorate</p> <p>Viability section at 4.16 amended following receipt of the Inspectors Report</p> <p>The SPD makes clear that the prices are intended as a guide. However, a further paragraph has been added to section 4 “Negotiating, Funding and Delivering Affordable Housing” to set out clearly that the Council adopts a negotiated and flexible approach.</p> <p>SPD sets out clearly the requirement for affordable</p>	<p>YES</p> <p>NO</p> <p>NO</p> <p>YES</p> <p>YES</p> <p>NO</p>
--	---	---	--

Appendix 2

	<p>forms of provision comply with PPS3 definition.</p> <p>Question free serviced land approach and the attempts of the LPA to dictate land value.</p> <p>Suggest consideration of grant is required and the 15% figure is not appropriate where payment will be not assisting affordable housing provision elsewhere.</p> <p>Suggest Developers cannot be expected to be aware of all planning obligation costs and reflect this in land values.</p> <p>Suggest a need to work collaboratively on viability model, rather than an open book approach.</p> <p><u>Section E</u></p> <p>Suggest it is not appropriate to seek affordable housing provision on an alternative site.</p> <p>More detail on how in-lieu payments will be applied, is required.</p> <p>Question the use of section 106 monies for anything other than the purpose they were collected for.</p>	<p>housing to comply with PPS3</p> <p>As with other sections of the document, the approach is intended to guide negotiations. The FSLE approach has been reflected in Government publications and is deemed to be reasonable.</p> <p>It is accepted that where a funding cascade is agreed, the 15% servicing and acquisition costs should not be applied. Duly amended at Para 4.23</p> <p>It is appropriate that developers / landowners take account of the required planning obligations when disposing or purchasing land. The Council has a clear policy position and will also be publishing a planning obligations SPD shortly.</p> <p>Viability section at 4.26 amended following receipt of the Inspectors Report</p> <p>Where provision is on an alternative site, it should be in addition to the requirement of that site. If not the overall % would not meet policy requirements.</p> <p>The document sets out how commuted sums will be applied and states that such uses will be in compliance with circular 05/05</p> <p>The proposal would assist the delivery of affordable housing. However, in the absence of clear guidance</p>	<p>NO</p> <p>YES</p> <p>NO</p> <p>YES</p> <p>NO</p> <p>NO</p> <p>YES</p>
--	---	--	--

Appendix 2

	<p><u>Section F</u></p> <p>SDP should not prescribe preferred partner RSL Amendments are needed to refer to the recycling of affordable housing subsidy.</p> <p>Changes are needed to clarify nomination agreements cannot be prescribed but must be agreed. Likewise any phasing must be agreed.</p> <p>Suggest that the SPD must be clear that it is the council's aspiration, not requirement to achieve Code Level 3 homes. Likewise an amount of dwellings that meet Lifetime Homes or a specialist housing need can be agreed, but not required.</p> <p>Refer back to concerns over service charges.</p>	<p>the statement has been deleted from section 5.22.</p> <p>The SPD does not seek to prescribe particular RSL's. It acknowledges the mixed economy of providers that exists.</p> <p>As with other sections, the Council will take a negotiated approach. The wording of this paragraph at section 6 has however been amended to illustrate the Council's flexible approach.</p> <p>The document seeks to make clear that housing should meet the requirements of local, national and regional policy. An amendment at Para 6.20 has however been made to reflect the fact the current code 3 requirement is a requirement of the Housing Corporation.</p> <p>SPD does not set a requirement to charge different services charges. The purpose of the statement is to highlight an issue which needs to be considered on a site by site basis.</p>	<p>NO</p> <p>YES</p> <p>YES</p> <p>NO</p>
<p>Response Number: 4354 Respondent: Gorse Properties Ltd Agents N/A</p>	<p>Questioning the approach suggested in SectionC1.5.</p> <p>Question whether a developer will build if required to pay 10% to Council which will push up price of houses.</p> <p>Viability Issue with possible reduction of building in South Hams on sites for first time buyers. Motive</p>	<p>Approach approved following EiP</p> <p>Approach removed following EiP</p> <p>DPD Issue. Affordable Housing contributions are based on a thorough and independent viability</p>	<p>NO</p> <p>NO</p> <p>NO</p>

Appendix 2

	<p>may be to lower the cost of land. Consequence that landowner may not release suitable land.</p> <p>Consider lowering the threshold for affordable housing a development of 4+ may be able to absorb reduction in price of one unit for Affordable Housing.</p> <p>The proposal contained in Section C1 is unfair and penalises local people on small developments.</p>	<p>assessment.</p> <p>DPD Issue. Affordable Housing contributions are based on a thorough and independent viability assessment.</p> <p>DPD Issue.</p>	<p>NO</p> <p>NO</p>
<p>Response Number: 4355 Respondent: Mr M Sterland Agent: Hopwood and Swallow</p>	<p>Comments included above at Response Numbers 1203 - 1210</p>		
<p>Response Number: 4356 Respondent: HBE (Housing and Built Environment Forum) Agent: N/A</p>	<p>In support of para F4.4: the AH DPD and the AH SPD contain much that is commendable, however the process by which this information is “revealed” is a barrier to effective communication and consultation. The DPD is a submission document; the SPD is a draft document. As they are interrelated, each needs to be read in conjunction with the other, yet this is not clear from SHDC literature or advertisements in the local</p>	<p>Comments noted</p>	

Appendix 2

	<p>papers. Both documents are up for consultation during the same six week period.</p> <p>No further comments</p>		
--	---	--	--