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**APPENDICES (SEE VOLUME 2)**

**RT/A STATEMENT OF QUALIFICATIONS AND EXPERIENCE**

**RT/B EXTRACTS FROM 'SUSTAINABILITY APPRAISAL OF REGIONAL SPATIAL STRATEGIES AND LOCAL DEVELOPMENT DOCUMENTS' (ODPM, NOVEMBER 2005)**

**RT/C EXTRACT FROM 'CHALLENGING PERCEPTIONS: CASE STUDIES OF DISPERSED AND MIXED TENURE NEW BUILD HOUSING DEVELOPMENTS' (HOUSING CORPORATION, APRIL 2005)**

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## **Section 1**

### **Introduction**

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- 1.1 My qualifications, experience and credentials are set out in **Appendix RT/A**.
- 1.2 Tetlow King Planning were first instructed by Midas Homes in July 2007 to provide representations on the South Hams Affordable Housing DPD.
- 1.3 Our further submission relates to Policies AH2, AH2, AH3 and AH4 and their reasoned justification as well as the topic of Implementation and Monitoring. The further submission is based on the objections made to the Submission Draft of this DPD in March 2008 on behalf of our client.
- 1.4 Each matter is dealt with in a separate submission statement. **This statement deals with Policy AH2 Allocated Sites.**
- 1.5 A summary of the objection is provided together with the suggested policy response. This is then elaborated in more detail under the relevant issue, with reference to current policy, guidance and research on housing and affordable housing matters. The key points relating to the tests of soundness against which the policy is considered to fail are summarised in the conclusion and the relevant recommendation(s) to make the policy 'sound' are set out at the end.
- 1.6 Where reference is made to an item on the Council's Core Documents list, this is shown in emboldened text in brackets with the prefix 'CD'.

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## Section 2

### AH2

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#### Summary

- 2.1 Summary of objection to Policy AH2 of the Affordable Housing DPD and suggested policy response:

What part of the DPD is unsound?	Policy AH2
Which of the soundness test(s) does it fail?	6 The strategies/policies/allocations in the plan are not coherent and consistent within and between neighbouring Development Plan Documents (DPDs) prepared by the authority and by neighbouring authorities, where cross boundary issues are relevant.
Why does it fail?	See paragraphs 2.2 to 2.10.
How can the DPD be made sound?	Remove range of targets and reinstate Part 2 of Policy AH1 in the Preferred Options Affordable Housing DPD (subject to amendments) as follows:  <i>'On allocated sites, in order to address the scale of need and meet the identified strategic target, the Council will seek to maximise the proportion of affordable housing provision. Site specific targets of up to 50% will be set, subject to the detailed criteria in Policy AH1'.</i>
What change is sought?	As above.

**Is there inconsistency between the targets identified and the provisions of the Core Strategy and could this confuse developers when calculating land price/valuations?**

- 2.2 The introduction of a range of targets across the District in AH2 is fundamentally unsound as all but one exceeds the 50% target previously agreed by the Inspector and included in the adopted Core Strategy (**CD179**). This is contrary to the Council's own assertion at paragraph 7.1 of the Submission DPD that it is in accordance with the Core Strategy and causes it to fail on the sixth test of soundness.

- 2.3 There is insufficient justification for the 60% target for the rural areas. While such a level is supported by the emerging RSS (**CD34**) this is only to be applied in areas of greatest need. The Housing Market and Needs Assessment (HMNA) (**CD175**), which is the current indicator of need, does not indicate such exceptional circumstances in the District.
- 2.4 Furthermore, this approach does not accurately reflect the Affordable Housing Viability Study (**CD173**) which states that 60% *might* be viable in rural areas in individual instances (paragraph 4.3.10) to be considered on their merits (paragraph 28). Our reading of the Study indicates that although the authors, Adams Integra, recommend a 'broad' 60% target they did not intend this to be used as a blanket figure for the rural areas.
- 2.5 The 55% target for the Area and Local Centres also exceeds the 50% target set out in the Core Strategy. As stated above, neither the Viability Study nor any other evidence such as the HMNA provides a sound justification for a deviation from this approach. Paragraph 13.5 of the Inspector's Report on the Core Strategy (**CD180**) stated that '*a strategic target of 50% affordable provision from all sources of new housing on sites above appropriate size thresholds should be supported across the district as the highest that is both sustainable and viable*'.
- 2.6 Due to its deviation from the Core Strategy this effectively introduces new policy which in turn requires sustainability appraisal. This has not occurred, the Sustainability Appraisal submitted with the Submission DPD (**CD196**) incorrectly stating that it does not introduce any new issues which were not considered at the Preferred Options stage.
- 2.7 The Government Guidance on '*Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents*' (November 2005) makes it clear that where a DPD contains a '*strategy*' not included at the Preferred Options stage its significant effects must be appraised. The relevant paragraphs of the Guidance are included at **Appendix RT/B**.
- 2.8 It is worth noting that the Sustainability Appraisal for the Preferred Options stage stated that even at 50% '*the high targets set could lead to developers holding back land until there may be a change in policy*' (page 17) (**CD182**). Its failure to consider the new levels set in AH2 means that it does not comment on the impact these would have on development viability as well as on the creation of mixed and balanced communities. Published evidence on the latter argues that a distorted balance between affordable and market housing on major developments **can** result in problems of polarisation and stigmatisation. This includes a report published on behalf of the Housing Corporation entitled '*Challenging Perceptions: Case Studies of Dispersed and Mixed*

*Tenure New Build Housing Developments'* (April 2005) (see **Appendix RT/C**) which concludes that, as a general rule of thumb, affordable housing on major sites should not normally exceed 30%.

**Do the notional development schemes provide a robust and credible evidence base to support the specified targets/what evidence justifies a higher target for the rural areas?**

- 2.9 The notional schemes modelled in the Affordable Housing Viability Study cannot replace a study of real sites across the District and liaison with locally active developers, neither of which appears to have occurred. The previous study by Baker Associates was criticised at the examination of the Core Strategy (i.e. by Penrilla Consultants Ltd on behalf of Midas Homes) for only using 19 sites in its assessment of affordable housing viability, this being unrepresentative of the range of sites available within the District. The current study has not used any and is therefore is an insufficient basis for the various targets set out in AH2, including the rural areas.

**Could the different targets deter/frustrate developers from bringing forward sites within the rural areas, and are the targets consistent with national and regional guidance?**

- 2.10 This issue is discussed in our submission on Policy AH1. It should also be noted that the Sustainability Appraisal for the Preferred Options stage warned that even a 50% target could lead to developers holding back land. The introduction of 55% and 60% targets would increase this likelihood further and lead to an overall decrease in affordable housing development in these particular areas.

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## **Section 3**

### **Conclusions**

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- 3.1 For the reasons set out in Section 2, Policy AH2 is in direct conflict with the Core Strategy. There is no robust justification for this deviation and it has not been subject to sustainability appraisal. It is likely that targets well in excess of the approved 50% level would have a detrimental effect on the delivery of affordable housing across the District thus undermining the Core Strategy. **It therefore fails on the sixth test of soundness.**
- 3.2 In order to make this policy sound, I recommend that the range of targets is deleted and Part 2 of Policy AH1 in the Preferred Options Affordable Housing DPD is reinstated (within AH2) subject to the amendments made above.