

CONTENTS

	<u>Page</u>
1. INTRODUCTION	1
2. COMMENTARY ON POLICY AH3	2
3. CONCLUSIONS	4

APPENDICES (SEE VOLUME 2)

RT/A STATEMENT OF QUALIFICATIONS AND EXPERIENCE

Section 1

Introduction

- 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 AH3 Unallocated / Windfall 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'.

Section 2

AH3

Summary

- 2.1 Summary of objection to Policy AH3 of the Affordable Housing DPD and suggested policy response:

What part of the DPD is unsound?	Policy AH3
Which of the soundness test(s) does it fail?	7 The strategies/policies/allocations fail to represent the most appropriate in all the circumstances, having considered the relevant alternatives, and they are not founded on a robust and credible evidence base.
Why does it fail?	See paragraphs 2.2 to 2.6.
How can the DPD be made sound?	Remove sliding scale and distinction between off-site and on-site provision, and replace with the following text: <i>'Unallocated sites will be expected to contribute to the strategic target for affordable housing provision described in Policy AH1. The presumption will be that provision of affordable housing is made on the development site. Only in exceptional circumstances will an alternative to on-site provision be appropriate for part or all of the affordable housing requirement. The applicant will be required to demonstrate what these exceptional circumstances are and any off-site contributions will be secured through a planning obligation'.</i>
What change is sought?	As above.

What evidence demonstrates that a 'no threshold' approach would be viable and is this evidence robust and credible?

- 2.2 We do not support the use of a sliding scale in Policy AH3. It was not suggested as a possible approach at the Preferred Options stage (**CD181**), and has therefore not been subject to previous public scrutiny. It removes the opportunity for each site to be assessed against the 50% target set out in the Core Strategy (**CD179**), and to take into account

any site-specific factors which affect the contribution that the site can make.

- 2.3 This appears to be entirely predicated on the findings of the Affordable Housing Viability Study (**CD173**). Paragraph 4.4.8 of the Study sets out the consultants' rationale for recommending a sliding scale. The consultants state that, because they felt able to support a 40% target on sites below the 15 threshold, they *'were thinking that this then fitted with an approach to seek say 30% on sites of 5 or 6 to 10 dwellings; and 20% on the very smallest sites'*. This is extremely unscientific as it is based on postulation rather than objective fact and evidence, and is vague about the exact level to be recommended.
- 2.4 We are not aware that this has even been tested either at the 40% level or below on actual sites as, although the Viability Study refers to site appraisals having been undertaken (paragraph 2.1.13), there is no indication of which sites these were; whether they provided a broad cross-section of sites within the District; and how viable the analysis considered them to be at the levels of affordable housing proposed. Indeed paragraphs 2.6.4 and 2.6.5 refer to these as being *'notional'* sites.
- 2.5 The Viability Study also states that the Council would need to justify reduced thresholds *'in terms of need, local site supply and market characteristics'* (paragraph 21). No such justification has been made in the DPD or its supporting documents.
- 2.6 We do not agree with the distinction made between on and off site contributions in AH3. While on-site provision is expected on all sites with capacity for 6 or more dwellings, there may be particular circumstances which mean that it would be appropriate to make some or all of the affordable housing provision off-site such as maintenance, topography and site location. Equally, there may be instances where on-site provision may be practicable and appropriate for sites under six dwellings depending on characteristics of the site, rather than just its size. As currently drafted there is no flexibility for this.

Section 3

Conclusions

- 3.1 For the reasons set out in Section 2, there is no sound evidence base to justify the sliding scale introduced in Policy AH3 or for the stated distinction between on and off site provision. **It therefore fails on the seventh test of soundness.**
- 3.2 In order to make this policy sound, we recommend that the text is reworded along the lines of that suggested above.