



Harrogate
BOROUGH COUNCIL

Affordable Housing Supplementary Planning Document (SPD)



**Consultation Statement
May 2021**

Affordable Housing SPD 1

Introduction

- 1.1** Harrogate Borough Council are preparing the following Supplementary Planning Document (SPD) for Affordable Housing (guidance for Policy HS2: Affordable Housing). The SPD seeks to provide additional background, help and guidance in relation to Policy HS2: Affordable Housing of the adopted Harrogate District Local Plan 2014-2035.
- 1.2** In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended (the Regulations) and NPPF definitions of SPDs, the SPD adds further detail to support Local Plan policy and is a material consideration in the determination of relevant planning applications.
- 1.3** A list of the responses received to the consultation process and the actions and any amendments to the proposed SPD are summarised below.

2 Consultation Statement

Consultation Statement

- 2.1** Before a local planning authority adopt a supplementary planning document Regulation 12(a) of the Town and Country Planning (Local Planning)(England) Regulations 2012 requires a Local Planning Authority prepare a statement which sets out;
- i. The persons the local planning authority consulted when preparing the supplementary planning document;
 - ii. A summary of the main issues raised by those persons; and
 - iii. How those issues have been addressed in the supplementary planning document.
- 2.2** In accordance with Regulation 12(b) the SPD and consultation statement were made available for public consultation between 12 October and 12 December 2020 and were available to view on the Council's website.

Preparation of the SPD

- 2.3** The SPD was prepared by the Policy and Place team in discussion with relevant Harrogate Borough Council colleagues. The table below sets out the main issues raised during these discussions and how they fed in to the preparation of the SPD.

Affordable Housing SPD		
The SPD was produced by the Council's Planning Policy team in consultation with the Council's Executive Officer, Housing Growth, with input from Development Management Officers and Council's Principal Planning Lawyer.		
Executive Officer, Housing Growth, HBC	General discussions and draft sent through for comment.	Feedback taken on board.
	Concern raised over the previously agreed approach to the calculation of management charges.	The calculation of management charges to be re-assessed following feedback from consultation to ascertain whether changes are required to the calculation approach.
Principal Planning Lawyer, HBC	Further clarification and amended wording recommended.	Feedback taken on board.
	Calculation of management charges, as previously agreed and set out in this SPD is considered to be a reasonable approach.	Management charges calculation left as previously agreed for the consultation exercise.
Development Management Officers, HBC	General discussion and draft set through for comment. Minor amendments to text recommended for clarity.	Feedback taken on board.

Table 2.1

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SPD Reg 12(b) Consultation 2020

- 3.1** Consultation on the SPDs was carried out in accordance with Town and Country Planning (Local Planning) (England) Regulations 2012 as amended, and the Council's Statement of Community Involvement – Revised August 2020 in response to the coronavirus pandemic.
- 3.2** The Town and Country Planning (Local Planning)(England)(Coronavirus)(Amendment)Regulations 2020 temporarily modifies Regulation 35 (availability of documents) up to the 31 December 2021 to reflect the situation the Coronavirus Pandemic has resulted in.
- 3.3** The modified Regulations removes the requirement for Local Planning Authorities (LPA) to place paper consultation documents at Council Officers and other appropriate locations, such as public libraries, and only requires consultation documents to be published on the Council's website.
- 3.4** However, in order to provide opportunities for those consultees who were unable to view the SPDs digitally, paper copies were made available to view by appointment at the Council's Civic Centre in line with the COVID-19 rules.
- 3.5** The Regulations at 12(b) require LPAs to invite representations to be made on a draft SPD over a period of not less than four weeks. Given the restrictions due to the coronavirus pandemic, public consultation was held from the 12 October to 11 December 2020, a period of 8 weeks, to ensure interested parties had an opportunity to consider the draft SPD during the pandemic. Comments were invited to be submitted directly onto the Planning Portal, or sent in via email or post.
- 3.6** The Council maintains a consultation database, all consultees listed on this database were invited to make comment on the SPDs.
- 3.7** The consultation database includes both specific and general consultees as set in the Statement of Community Involvement 2020 www.harrogate.gov.uk/sci .
- 3.8** The consultation database is kept up to date to enable the council to carry out continuous consultation with the consultees and the community and enables everybody who had commented on previous consultations to be kept informed of future consultations while allowing entrants to be removed from the database if they wish. The portal also enables specific consultees to be identified when focused consultation is needed.

Consultation Responses

- 3.9** This table below sets out the responses received to the Affordable Housing draft SPD consultation, by whom, and the Council's response and any amendments proposed.

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
1 Introduction / Whole Document comments					
1	AH26	Harrogate Civic Society	<p>Town Centre Living</p> <p>There is an urgent need to consider the beneficial use of town centre properties, especially in the current retail climate. The Civic Society has been keen to promote the better use or re-use of upper floors above shops etc. for many, many years. The need for Affordable Housing is not entirely in terms of family homes. There is a need for modest flats for couples or single people on low or modest incomes who work in the hospitality industry, in retail, in the NHS, or care homes for instance. Reducing travel or being conveniently placed for public transport is a clear benefit.</p> <p>If there is a resistance from Registered Providers to taking on such accommodation, it needs to be overcome for the greater good of the environment, for those who need simple convenient dwellings and for better use of valuable buildings in town centres. Affordable Housing has its part to play in sustainability.</p>	<p>Comments noted</p> <p>The SPD seeks to support affordable housing provision required under Local Plan Policy HS2.</p> <p>However under para. 5.17 of Policy HS2 justification in the local plan it is noted <i>"Not all affordable housing will be delivered through contributions from developers on market housing sites. Affordable housing will also be delivered by utilising the council's resources, including developing land in its ownership; bringing empty homes back into use; the acquisition of existing properties; and working with Registered Providers."</i></p>	No changes proposed
1	AH42	Natural England	<p>While we welcome this opportunity to give our views, the topic this Supplementary Planning Document covers is unlikely to have major impact on the natural environment.</p>	Comments noted	
1	AH43	Homes England	<p>We are pleased to submit representations on the consultation draft Affordable Housing Supplementary Planning Document (SPD), which has been published for comments until 11 December 2020, on behalf of our client Homes England who has extensive land interests across Harrogate Borough in the following locations:</p> <ul style="list-style-type: none"> • Former Police Training Centre (allocation ref: H36); • Bluecoat Park (allocation ref: H45); • Ripon Barracks (allocation ref: R24); and • West Lane (allocation ref: R8). 	Comments noted	

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
1	AH50	Harrogate & District Green Party	<p>Homes England wishes to thank the Council for the opportunity to comment on this draft SPD and their response is now provided.</p> <p>Harrogate & District Green Party: Affordable Housing SPD Comments:</p> <ul style="list-style-type: none"> - Require affordable housing to be considered in all development sizes, not just over 10 units. The Government requirement is for units over 10, but some Local Authorities are beginning to require above and beyond national thresholds to meet community needs. For example, York requires affordable housing provision of two units or more. - Adjust the requirement for social housing developers to be Registered Providers, to include 'or Community Housing Trusts' so as to ensure support for Community Led Housing. The Council's own website states that "anybody can get together to deliver community led housing - the PTA, the Parish Council or simply like-minded people who want to help their community". - Requirement for housing developers to ensure meaningful consultations take place with diverse groups and potentially isolated community members. - Given the Covid 19 pandemic, affordable housing should be considered that provides work space in the same housing development area, for example shared workshop space that also allows for spacious safe working practices. 	<p>Comments noted</p> <p>The site thresholds are set out in Policy HS2 of the adopted Local Plan. The SPD seeks to provide guidance to the implementation of the policy.</p> <p>Community Land Trusts can deliver affordable housing, but as they are not a Registered Provider they cannot be added to the list of RPs. But their role is noted.</p> <p>The Local Plan process was supported by an Equality Analysis Report, January 2018, The report did an analysis of the policies informed by the equalities information regarding people with protected characteristics. The report is available to view online at www.harrogate.gov.uk In addition, ethnicity data is requested from applicants on the Housing Waiting List.</p> <p>Local Plan Policy HS5 seeks to ensure all new market and affordable homes should, as a minimum, meet the relevant Nationally Described Space Standard (NDSS). The Technical Housing Standards - NDSS can be viewed online at www.gov.uk</p>	
1	AH16	Selby District Council	<p>Thank you for consulting Selby District Council on your proposed new Supplementary Planning Documents. We have no specific Officer comments to make on these documents.</p> <p>We, do however, look forward to continued dialogue with Harrogate</p>	<p>Comments noted</p>	
2	Policy Context				

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
2	AH28	Home Group	In relation to paragraph 2.5, Policy HS2, we support the Council's position that tenure mix is based on up to date demand data. Please see later comments re: accessible and adaptable homes.	Comments noted	No changes proposed
3 Approach to Affordable Housing Calculation					
3	AH6	Matton-cum-Graffton Parish Council	Registered providers are reluctant to purchase/manage small clusters of affordable units. As such, a development of say 10 homes (4 of which would be affordable) will be hard to dispose of. There is a risk that following a marketing period, these will be allowed to revert to open market housing. The policy should be more flexible to allow for commuted payments on sites up to 20 units if evidence of a lack of interest from registered providers can be demonstrated at the planning stage. This would ensure that some contribution towards affordable housing provision can be secured from the outset.	A Development Partnership of 16 Registered Providers (RPs) operates across the district, matching sites to RPs and ensuring there is always an RP to take on the smallest sites in the most rural areas. In addition, the Council itself will buy affordable homes, including individual ones, to ensure on-site provision is made.	No changes proposed
3	AH22	Harrogate Civic Society	<p>Provision of sufficient Affordable Housing is not an easy matter when along with the Affordable element on a site, the greater percentage will generally be for open market housing. Affordable Housing must be maximised. We welcome the SPD in order that local and national policy and its implementation can be explained and clarified in one document.</p> <p>We have only a few comments as follows, listed under the para. numbers in the Draft SPD except for the final heading – Town Centre Living.</p> <p>3.4 We agree that it is important that all new dwellings on a site must come into the Affordable Housing calculations.</p> <p>3.5 – 3.7 Again we agree that it is important that the whole of a naturally defined site is taken into account and not simply the area that an applicant decides to draw the application red line around. Phasing must not have the effect of reducing the amount of Affordable Housing that is provided, whether this be calculated initially only in the first phase or taking account of all phases or subsequently when (or if) further phases come forward.</p>	Comments noted	No changes proposed

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
4 Delivering Affordable Housing					
4	AH29	Home Group	In respects to chapter 4, Delivering Affordable Housing, we support your collaborative approach between registered providers and developers. Specifically, we are encouraged by paragraph 4.2, where developers should contact the council's housing team, as we feel this will reduce confusion between all stakeholders. Early engagement with a registered provider is important to the overall success of the scheme.	Comments noted	No changes proposed
5 Affordable Housing Transfer Prices					
5	AH32	Home Group	In relation to chapter 5, Affordable Housing Transfer Prices, we support the council's flat rate for property sizes up to a maximum of 93sqm for a two-storey 3-bed property or 106sqm for a two-storey 4-bed property, and good to see the adjustment made for flats.	Comments noted	Additional text to Para. 5.1 and Para.5.4 re-written in additional text in bold
5	AH44	Homes England	Transfer Prices Section 5 of the SPD outlines a fixed transfer value (£1,100/sq. m) which is to be applied to all agreed property sizes up to a maximum of 93 sq. m for a 2-storey 3-bedroom property or 106 sq. m for a 2-storey 4- bedroom property. This flat rate acts as maximum transfer value by capping the amount for which an affordable home can be sold to a Registered Provider (RP). Homes England objects to this approach. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) outlines the types of policies which should be contained in local development documents at Regulation 5, and Regulation 6 clarifies that any document of a description in Regulation 5 is a local plan policy issue. The imposition of a transfer values policy would be covered by Regulation 5, insofar as it is a policy for the development	Comments noted The Transfer Values (which are different for houses and apartments) were set in consultation with Homes England and the Registered Providers. The Transfer Prices informed the Whole Plan Viability Study (September 2016) at the time of Policy preparation. The Whole Plan Viability Study and The Local Plan Viability Update and CIL Viability Assessment (January 2019) can be viewed online at www.harrogate.gov.uk Transfer Prices are reviewed periodically. At the time of the adoption of this SPD there is no timescale in place for their review, however this will continued to be monitored. Legal advice was sought which concluded that the SPD was the proper place to incorporate the transfer value. For clarity the wording has been amended to reference	5.1 Following consultation with its partner RPs and Homes England, the Council has established local transfer prices for affordable housing. These are the sums that RPs will pay to developers for the affordable homes they provide, and informed the 2016 Whole Plan Viability Study Assessment , part of the Council's Local Plan evidence base, which, in turn , informed the Council's affordable housing requirements and was considered by the Planning Inspector at the Examination in Public, where it was found to be sound.

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>and use of land and as a development management policy. The imposition of maximum transfer values cannot, therefore, be properly introduced via a policy contained within an SPD.</p> <p>Notwithstanding the overarching objection, it is noted that the fixed transfer price of £1,100/sq. m is low and that there is a need for the review of transfer prices in line with current build costs. The fixed transfer prices have informed the Council's Whole Plan Viability Study which was prepared back in 2016. Whilst our client is supportive of transfer prices being subject to periodic review (as indicated at paragraph 5.2), it is clear that transfer prices have remained at the rate identified above for at least 4 years, whereas construction costs have not remained static. This is an important consideration within the context of rising build costs and the incremental viability burden that this imposes over time. Under the BCIS Quarterly Briefing (July 2020) central scenario, construction costs are forecast to increase by 17% on the current market within the next five years (Q1 2025). Compounded to this are emerging additional requirements - such as the Future Homes Standard - which propose changes to building regulations and introduces new standards for cutting carbon emissions, including the ban of all gas boilers in all new build properties by 2025.</p> <p>Set within this context, it is important that transfer prices are regularly reviewed so that they can be adjusted to rates that are sympathetic to the changing baseline cost environment that developers are facing. Homes England therefore respectfully requests that greater clarity is provided regarding the frequency of transfer price reviews and for a review mechanism to be put in place- probably on an annual basis at least.</p> <p>Finally, a differential transfer price of £1,050/sq. m is proposed for affordable flats in order to reflect the purchaser's liability for service charges. Homes England requests that greater flexibility is provided here for circumstances where it can be demonstrated that a service charge is not actually required.</p>	<p>how the Transfer Prices fed into the Whole Plan Viability Assessment which informed the policies which were considered by the Inspector at Examination.</p>	<p>5.4 The flat rate of £1100psqm will apply to all agreed property sizes up to a maximum of 93sqm for a two-storey 3-bed property or 106sqm for a two-storey 4-bed property. Where affordable flats are delivered, the transfer price is £1050psqm GIA (not including common parts). The lower prices reflects the purchaser's liability for service charges. The Whole Plan Viability Assessment can be viewed online on the Council's website www.harrogate.gov.uk</p>

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
5	AH37	Persimmon Homes - Yorkshire	<p>Transfer Prices</p> <p>Section 5 of the SPD outlines a fixed transfer value (£1,100/sq. m) which is to be applied to all agreed property sizes up to a maximum of 93 sq. m for a 2-storey 3-bedroom property or 106 sq. m for a 2-storey 4-bedroom property. This flat rate acts as maximum transfer value by capping the amount for which an affordable home can be sold to a Registered Provider (RP).</p> <p>Persimmon strongly objects to this approach. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) outline the types of policies which should be contained in local development documents at Regulation 5, and Regulation 6 clarifies that any document of a description in Regulation 5 is a local plan policy issue. The imposition of a transfer values policy would be covered by Regulation 5, insofar as it is a policy for the development and use of land and as a development management policy. The imposition of maximum transfer values cannot, therefore, be properly introduced via a policy contained within an SPD.</p> <p>Notwithstanding the overarching objection, it is noted that the fixed transfer price of £1,100/sq. m is low and that there is a need for the review of transfer prices in line with current build costs. The fixed transfer prices have informed the Council's Whole Plan Viability Study which was prepared back in 2016. Whilst Persimmon is supportive of transfer prices being subject to periodic review (as indicated at paragraph 5.2), it is clear that transfer prices have remained at the rate identified above for at least 4 years, whereas construction costs have not remained static. This is an important consideration within the context of rising build costs and the incremental viability burden that this imposes over time. Under the BCIS Quarterly Briefing (July 2020) central scenario, construction costs are forecast to increase by 17% on the current market within the next five years (Q1 2025)¹. Compounded to this are emerging additional requirements - such as the Future Homes Standard - which propose changes to building regulations and introduces new standards for cutting carbon emissions, including the ban of all gas boilers in all new build properties by 2025.</p>	<p>Comments noted</p> <p>The Transfer Values were set in consultation with Homes England and the Registered Providers. A flat rate Transfer Price for all tenures fed into the Whole Plan Viability Assessment. These Transfer Prices informed the Whole Plan Viability Study (September 2016) at the time of Policy preparation. The Whole Plan Viability Study and The Local Plan Viability Update and CIL Viability Assessment (January 2019) can be viewed online at www.harrogate.gov.uk</p> <p>Full details of the Government Future Homes Standard are still awaited.</p> <p>Transfer Prices are reviewed periodically. At the time of the adoption of this SPD there is no timescale in place for their review, however this will continue to be monitored.</p> <p>Legal advice was sought which concluded that the SPD was the proper place to incorporate the transfer value. For clarity the wording has been amended to reference how the Transfer Prices fed into the Whole Plan Viability Assessment which informed the policies which were considered by the Inspector at Examination.</p>	

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>The Government's own estimates set out in their October 2019 consultation document indicate that the Future Homes Standard would add £2,557 to the average cost per home to meet the approach using changes in fabric only to reduce emissions, while meeting their second option which includes technological solutions would add £4,846 to the average build cost of a new home.</p> <p>Set within this context, it is important that transfer prices are regularly reviewed so that they can be adjusted to rates that are sympathetic to the changing baseline cost environment that developers are facing.</p> <p>Persimmon therefore respectfully requests that greater clarity is provided regarding the frequency of transfer price reviews and for a review mechanism to be put in place that increases values in line with build costs – on an annual basis at least.</p> <p>Adopted Local Plan Policy HS2 (Affordable Housing) requires that a mix of affordable housing tenures is provided on sites, with the final mix determined on an individual site basis reflecting local area characteristics and need. This could include a range of tenures, from social and affordable rented to intermediate and shared ownership products and the discount to open market value associated with these can vary greatly (at least 20% below open market value and typically much lower).</p> <p>The imposition of a flat rate transfer price appears incompatible with the breadth of tenures it is required to cover. As such, Persimmon notes that the use of differential transfer prices would enable the discount to open market value to more closely align with the tenure profile of affordable homes delivered on a specific site.</p> <p>Accordingly, this would help to remove instances where the financial burden of delivering affordable housing is felt disproportionately for developers who, through a fixed transfer price, receive less than the value of the affordable homes they are required to deliver. Finally, a differential transfer price of £1,050/sq. m. is proposed for affordable flats in order to reflect the purchaser's liability for service charges.</p>		

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
6 Management Charges					
6	AH31	Home Group	In relation to paragraph 6, we support reference to service charges being apportioned across development schemes fairly. We would also want to make note that in some instances, when service charges are high it reduces the affordability. Estate design issues such as when services cannot be adopted (e.g. pumping stations or private driveways) can add significant costs to service charges, especially when the costs may be unpredictable. For this reason ideally all affordable homes should be accessed of adoptable roads and have access to adopted drainage systems where that is achievable. Where this is not possible, a fair proportion of both the affordable and market sale homes should be in the position of not having direct access to adoptable roads and services. This is to ensure ease and affordability of future management and maintenance, and affordability for shared owners.	Comments noted The siting of affordable housing should form part of pre-application discussions on estate design and layout or through the planning application process.	Additional text recommended in bold 6.1 All estate-management charges would need to be apportioned fairly between the dwellings based on their relative size. This applies to both market and affordable dwellings - Management charges should be apportioned as set out below: Apportionment of management charges The management company contribution applicable to each individual dwelling = A/B x C Where: A = Gross internal floor space area of the individual unit (m2) B = Total gross internal floor space of all dwellings (m2) C = Total management fee applicable to all dwellings
6	AH45	Homes England	Estate Management Charges The SPD identifies that all estate management charges are to be apportioned fairly between the dwellings based on relative size and this applies to both market and affordable dwellings. Given the basis of this SPD is affordable housing it is considered to be inappropriate to reference market dwellings in this document. The reference to estate management charges, in this document can only reference affordable dwellings.	Comments noted The paragraph has been amended to take reference to market dwellings out of text.	
6	AH38	Persimmon Homes-Yorkshire	Estate Management Charges	Comments noted The paragraph has been amended to take reference to market dwellings out of text.	

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			The SPD identifies that all estate management charges are to be apportioned fairly between the dwellings based on relative size and this applies to both market and affordable dwellings. Given the basis of this SPD is affordable housing it is considered to be inappropriate to reference market dwellings in this document. The reference to estate management charges in this document can only reference affordable dwellings.		
7 Accessible and Adaptable					
7	AH4	Stephen Hughes	In respect of Paragraph 7.5, given that the SPD is intended to provide more detailed practice guidance on the application of Policy HS2, it would be helpful if it could set out the type of issues or circumstances that will be considered in assessing site suitability. This would help inform Applicants from the outset as to the type of sites or site specific constraints/issues that may be exempt from this requirement and allow them to prepare the necessary evidence in support of an application in advance. Examples of the type of issues that will be taken into account are already provided in the Planning Practice Guidance (PPG) and would be a useful starting point (Paragraph: 008 Reference ID: 56-008-20160519).	<p>Comments noted</p> <p>The expenditure to meet Accessible and Adaptable were costed in the Local Plan Viability Update and CIL Viability Assessment (January 2019) (which can be viewed on line at www.harrogate.gov.uk) and tested at Examination. For clarity it is recommended that the wording of text is amended to make reference to the guidance in the NPPG.</p>	<p>Amended text recommended for Para. 7.5, additional text in bold</p> <p>7.5 This requirement will be subject to site suitability and: The Council will take account of site-specific factors, e.g. site topography and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings. Evidence of site suitability and/or whether it would render development unviable will be required in determining whether these requirements should apply.</p> <p>The Council will specify which category should be delivered on site. Pre-application discussion with the Council's Housing based on site suitability and localised need is recommended prior to the submission of an application.</p>
7	AH10	WDH	Although we are supportive of this policy, we feel that this may impact viability of affordable schemes (given the associated costs of ensuring that new homes meet the required standards). Will the LA make exceptions and/or offer financial support where evidence can be provided that scheme viability is adversely impacted by this policy?	<p>Comments noted</p> <p>The expenditure to meet Accessible and Adaptable were costed in the Local Plan Viability Update and CIL Viability Assessment (January 2019) (which can be viewed on line at www.harrogate.gov.uk) and tested at Examination. For clarity it is recommended that the wording of text is amended to make reference to the guidance in the NPPG.</p>	<p>Additional Para. 7.7 recommended to reference other policies in the Local Plan</p> <p>7.7 This SPD refers to affordable housing only, Policy HS1: Housing Mix and Density refers to accessible and adaptable market dwellings.</p>
7	AH12	Steve Brook	Considering housing demand into the future for older people with mobility issues or indeed those requiring fully accessible homes is beneficial. There are concerns, however, that having such a policy only applied to the affordable housing on a development means one of the other key deliverables of making affordable housing "indistinguishable" on a scheme from the market sale	<p>Comments noted</p> <p>The SPD refers to affordable housing only however Policy HS1 requires 'On developments of 10 or more dwellings 25% of the market units should be built to be accessible and adaptable homes.'</p>	

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
7	AH30	Home Group	<p>housing will not be possible. This is a key requirement as it avoids stigma being attached to the affordable homes and those who live in them.</p> <p>Also only requiring the affordable homes to be accessible and adaptable will potentially limit those who have a disability, but do not meet the financial allocation requirement for being allocated an affordable home, from living in a home which meets their needs.</p> <p>Accessible and adaptable homes should be spread across all tenures on a development and not just restricted to affordable homes.</p> <p>In respects to chapter 7, accessible and adaptable requirements. We are encouraged by acknowledgement of the need for accessible and adaptable homes; however, we question whether this needs extending to more than just the affordable homes, possibly to a % of the overall homes. This will ensure all purchasers/tenants, whatever the tenure may be, will have access to homes capable of being adapted. This will ensure longer tenure and it also helps to ensure a tenure blind and pepper-potted approach is maintained, as this will likely be difficult to achieve if affordable and market homes are built to different standards. We feel this contradicts your desire to distribute and have a tenure blind approach (affordable homes are to be indistinct from market homes), which has been very successful to date.</p> <p>The number/split of M4(2) and M4(3) homes should be considered carefully and in line with needs data and site specific topography, accessibility and access to services, facilities and transport etc.. Hence the policy should be flexible enough to allow for situations where accessible or adaptable homes may not be required or be practical. Flexibility to decide based on these factors is appreciated but should be balanced with a possible lack of clarity it may cause, to avoid confusion or prevent sites being fully valued without knowledge of the site specific requirements in this regard, early sight of these requirements (possibly at pre app) for each site would be most beneficial. As with the increase to NDSS the viability of building homes to this</p>	<p>Comments noted</p> <p>The SPD refers to affordable housing only however Policy HS1 requires 'On developments of 10 or more dwellings 25% of the market units should be built to be accessible and adaptable homes.'</p> <p>Policy HS2: requires 'The affordable homes should be distributed across the development and integrated with the scheme design and layout such that they are indistinguishable from the market housing on the same site.'</p> <p>The need for accessible and adaptable dwellings was assessed within the Housing and Economic Development Needs Assessment (HEDNA) May 2018, it is recommended that the text is amended to provide further clarity, to make reference to the guidance in the NPPG. Accessible and adaptable homes and wheelchair accessible homes are those which meet the requirements set out in Approved Document M of the Building Regulation 2010.</p> <p>Pre-application discussions are recommended prior to the submission of a planning application.</p>	

4 Key Issues Raised at Reg 12(b) Consultation

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>standard and the resulting possible effect on number of homes and site layout design should be fully considered. In order for an accessible home to be fully fit for purpose we would usually carry out additional specification changes to ensure ease and longevity of adaptations.</p> <p>Ideally it should make reference to some of these linked specification requirements on adaptable and accessible dwellings, to ensure the product truly does meet the needs you aspire to meet. If not, then early engagement with an RP is most important to ensure these items are specified and costed early. The specification attachment was not provided with adaptability in mind, and may need adjusting to account for this.</p>		
			<p>8 Types of Accommodation</p>		
8	AH49	Defence Infrastructure Organisation	<p>The Defence Infrastructure Organisation, on behalf of the Ministry of Defence (MOD) welcomes the opportunity to comment on the above consultation.</p> <p>The Affordable Housing SPD provides further guidance to support the implementation of Local Plan Policy HS2: Affordable Housing. Section 8 of the SPD discusses different types of accommodation and the need for Affordable Housing provision within these different types of developments. Paragraph 8.7 states;</p> <p>'Proposals for rural workers dwellings, park homes, service family accommodation and permanent self-catering accommodation which are capable of normal residential use will be treated as applications or dwellings and provision of affordable housing will therefore be required in accordance with local plan policy'.</p> <p>Given the statement above, should any future developments of Service Families Accommodation be required within Harrogate District it appears there would be a requirement for an Affordable Housing provision in accordance with Local Plan Policy HS2: Affordable Housing. If this is the case DIO would object to this</p>	<p>Comments noted</p> <p>Following discussions with other Local Authorities additional text is recommended to provide clarification that applications for tied accommodation, such as Service Family Accommodation, would be considered on their own merits and that pre-application advice is encouraged.</p>	<p>Additional Para. 8.8 is recommended, text in bold</p> <p>8.8 Where applications for tied accommodation, such as Service Family Accommodation is proposed, applications will be considered on their own merits on a case by case basis and pre-application advice is encouraged.</p>

Key Issues Raised at Reg 12(b) Consultation 4

Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>requirement. A requirement for Affordable Housing provision is not considered appropriate for this type of development for the reasons detailed below.</p> <p>Service Families Accommodation (SFA) is provided to meet a specific need, it has no commercial value and is subject to national guidance on its location, use and provision of supporting facilities. The close link between military bases and SFA allows for an appropriate support network to be provided to its residents, especially for dependents during times such as overseas deployments.</p> <p>The method for assessing SFA rents is set at a national level and service families pay a subsidised rental charge as set by the Armed Forces Pay Review Board. The Board sets the rates to be charged to service personnel for their accommodation as well as their pay. The SFA rates are set out in Tables 4.1 and 4.2 of the Armed Forces' Pay Review Body Forty-Third Report March 2014. This document is available on the www.gov.uk website (see http://www.gov.uk/government/uploads/attachment_data/file/430466/pf2014)</p> <p>The SFA rental rates are significantly lower than general market housing rental levels in recognition of the special circumstances that apply including the tied nature of the properties and lack of choice. The value of future income streams will not be sufficient to cover the basic build costs and infrastructure procurement and running costs (the latter of which will be significant).</p> <p>It is therefore recognised that SFA directly provided by the MOD should be considered differently to other applications for residential development in terms of requirements for Affordable Housing provision. In the same way as affordable housing provided by a Registered Provider, SFA has an element of subsidy, which sets it apart from housing that is either sold or rented, without restriction, through the open market. It is recognised that SFA to be developed by the MOD will not be a commercial proposition and can only be delivered with substantial amounts of public funding. As such, there is no commercial viability in its provision. It is therefore logical given the considerations discussed within this statement that SFA should not have a requirement for Affordable Housing.</p>		

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			<p>Unlike general market housing, the design and specification of SFA developments are subject to national guidance set out in Joint Service Publications (JSPs) (see https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/618785); This means higher build costs than might normally be expected would be incurred and community infrastructure costs to be met as part of the development for all SFA residents.</p> <p>SFA will not be released onto the open market or use for any other purpose than for SFA without the approval of the planning authority. This will ensure that the SFA 'housing' is developed and managed for its intended purpose, rather than open market housing. Such an obligation would also ensure that if the SFA becomes surplus to MOD requirements and is released in the open market the need to provide for affordable housing would be triggered.</p> <p>To summarise SFA is provided for service families and their dependents and therefore is not available on the open market. Such properties are provided to fill a specific need and are subject to government subsidy. Service families pay a quatering charge for the properties, and this falls below private sector levels. Therefore, it is considered that the Affordable Housing SPD should include a provision which exempts developments for SFA from the requirement to provide affordable housing. This is an approach accepted across the UK and it would be a significant national issue for MOD if a departure from that accepted approach was taken. I can provide further information on how this issue has been treated elsewhere if required.</p>		
9	AH27	Knaresborough Town Council	Restrictions on design, type, distribution and % of affordable homes across a development site and the 100% of 30 dwellings, has the potential to put significant restrictions on the numbers of affordable homes built in the Harrogate and Knaresborough area. Restrictions that could be overcome with a bit more flexibility such as not insisting that there needs to be some designed houses for commercial sale on an estate that match the design of	<p>Comments noted</p> <p>Recommended text is amended to better reflect the guidance in the NPPF</p>	<p>Comments noted</p> <p>Amended text to Para. 9.2 to allow discussion on the layout of housing scheme, amended text in bold, with an additional Para. 9.4 is recommended, below in bold</p>

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
9	AH5	Stephen Hughes	<p>affordable houses and that 'affordable only' estates can, where local demand is such that there are insufficient numbers of affordable homes being built, that estates offering just affordable homes in excess of 30 dwellings will be allowed. As large a proportion as possible of the affordable housing should be for rent.</p> <p>My comments are specific to this section of the document</p> <p>We would raise an objection to the comments in Paragraph 9.3 where it suggests that 100% affordable schemes will not be supported on sites in excess of 30 dwellings.</p> <p>Policy HS2 does not include any specific restriction on wholly affordable housing schemes coming forward and the SPD is trying to introduce a level of policy control which is not contained within the Local Plan. It is widely accepted that an SPD cannot introduce a policy requirement which is not explicit within the Local Plan itself, particularly where its effect is to guide the determination of future planning applications. If the LPA's intention was to restrict affordable schemes in this way then it should have been made clear in the policy wording which would have been the subject of examination as part of the Local Plan process. We would argue that the only lawful way of bringing this requirement into effect would be through a review or partial review of the Local Plan.</p> <p>The above points have been confirmed through the Courts and we would refer the LPA to the following decisions; William Davis Ltd & Ors v Charnwood Borough Council [2017] EWHC 3006 (Admin) (23 November 2017) and R (Skipton Properties Ltd) v Craven District Council [2017] EWHC 534</p> <p>In addition to the above, we would also argue that this proposed approach is inconsistent with the guidance contained in the National Planning Policy Framework (NPPF), numerous decisions made by other Local Planning Authorities and the Planning Inspectorate and is not an accurate reflection of the evidence base that has informed the preparation of the Local Plan.</p>	<p>Comments noted</p> <p>Recommended text is amended to better reflect the guidance in the NPPF</p>	<p>9.2 On all sites On smaller sites, affordable housing should be distributed throughout a development. on small sites this could be in small groups or clusters, typically of 4 to 8 units. In larger schemes where more than 100 dwellings are proposed slightly larger clusters, of up to 12 units, may be appropriate, dependent on design and location factors and an appropriate housing mix within the clusters. 100% affordable housing cul-de-sacs are not acceptable. Cul-de-sacs should always contain a mix of market and affordable homes.</p> <p>Recommended that Para. 9.3 is re-worded as set out in bold</p> <p>9.3 In order to promote mixed and sustainable communities but also in recognition of the Plan's evidence base and the Objectively Assessed Need (OAN) which informs the need to deliver market and affordable housing, the preference will be for mixed communities Pre-application discussion with the Housing Department is recommended prior to the submission of an application.</p> <p>9.4 Pre-application discussion with the Housing Department is recommended prior to the submission of an application.</p>

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		<p>The NPPF does promote mixed and sustainable communities but there is nothing to suggest that this cannot be achieved through the delivery of wholly affordable housing schemes. Indeed, there is a clear expectation in the NPPF that fully affordable housing schemes will come forward (Para 64 d and Para 71).</p> <p>We have also delivered fully affordable schemes on sites well in excess of 30 dwellings across other Local Planning Authorities in the Region, all of which have been assessed in the context of the NPPF and none of which have been assessed as failing to contribute towards the delivery of mixed and sustainable communities.</p> <p>In order to demonstrate this point further, I have attached a copy of a recent appeal decision for a scheme of 128 affordable dwellings in East Staffordshire (Ref: APP/B3410/W/20/3245077). The appeal was allowed with the Inspector noting that there was a current affordable housing need that was not being met, a worsening affordability position within the area in question and that the scheme would make a valuable contribution towards affordable housing delivery, a benefit which should attract significant weight despite the Council being able to demonstrate a 5 year HLS. There is no suggestion or reference in the appeal decision that a fully affordable housing scheme on this scale would fail to contribute towards creating mixed and sustainable communities.</p> <p>There are very direct similarities with Harrogate in this respect; a pressing affordable housing need (208 dwellings per annum for rented units alone), a persistent lack of affordable housing delivery (fallen well below identified need every year since start of the Local Plan period) and a worsening affordability situation.</p> <p>Whilst we recognise that mono-tenure schemes could be an issue for larger scale development proposals, mixed and sustainable communities can still be achieved with a fully affordable housing scheme through a mix of tenures i.e. rented products and affordable routes to home ownership etc. This is what the LPA should be focusing on as part of any assessment for larger scale residential schemes.</p>		

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
9	AH9	David Boyes-Watson	<p>Indeed, the HEDNA which has been used to inform the OAN for the Borough makes it clear that given the scale of the affordable housing need, the Council should look to maximise delivery where possible (Para 7.25) through other avenues, such as the National Affordable Housing Programme.</p> <p>Therefore, for all of the reasons outlined above, we would strongly urge the LPA to delete this paragraph from the SPD.</p> <p>Appeal Decision Attached</p>	<p>Comments noted</p> <p>Recommended text is amended to better reflect the guidance in the NPPF</p>	
9	AH33	Home Group	<p>With regards to 9.3, we feel that this goes beyond the scope of an SPD and is not consistent with the NPPF. In the whole, we feel that it will have a negative impact on delivery of affordable housing within the district. Not only will it prevent affordable housing providers from competing for larger sites, it is these very sites that promote a wider mix of tenure within the affordable bracket (SR/AR/SO/RTB). The approach on limiting 100% affordable sites is more likely to result in single tenure schemes which does not appear to match the ambition of the document to achieve sustainable communities. Our preference would be for this point to be struck from the document.</p> <p>In respect to paragraphs 9.1 and 9.2, we support the council's design principal of distributing affordable homes across a scheme, helping to create mixed communities. However as above this may be more difficult to achieve if the design standards differ in relation to accessibility and adaptability.</p> <p>In respect of paragraph 9.3, we support your desire to deliver diverse and integrated communities, offering a variety of tenures, however we feel that consideration should be given to housing needs, site specifics and other market factors on a site by site basis in order to ensure effective delivery and meet needs.</p>	<p>Comments noted</p> <p>Policy HS2 requires 'The affordable homes should be distributed across the development and integrated with the scheme design and layout such that they are indistinguishable from the market housing on the same site.'</p> <p>Recommended text is amended to better reflect the guidance in the NPPF with additional Para. to emphasise the importance of pre-application discussions.</p>	

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
9	AH47	Homes England	<p>Distribution of Affordable Housing Units- The SDP proposes that affordable units should be spread throughout developments, rather than being concentrated into distinct areas. It is considered that there are two main challenges with these proposals.</p> <p>Firstly, given the 30%/40% requirement for affordable housing, depending on the quantum of development it is difficult to distribute the affordable housing evenly throughout the development whilst adhering to the clustering requirements set out in the SPD.</p> <p>Secondly, the future management (and on costs) of affordable homes is easier if affordable homes are clustered together rather than distributed across a development.</p> <p>It is considered that there needs to be more flexibility built into the SPD in respect of these issues and when assessing future planning applications against the criteria.</p> <p>Homes England also considers that it is important that plans for future developments should be viewed in respect of how streets will be navigated when built rather than solely on a plan-view basis. On plan, some affordable properties may be considered to be in close proximity to each other, however navigation of the streets when built would mean that this is not always the case.</p>	<p>Comments noted</p> <p>Re-wording of Para. 9.2 with an additional Paragraph recommended to emphasise the importance of pre-application discussions.</p>	
9	AH40	Persimmon Homes - Yorkshire	<p>Distribution of Affordable Housing Units - The SPD proposes that affordable units should be spread throughout developments, rather than being concentrated into distinct areas. It is considered that there are two main challenges with these proposals.</p> <p>Firstly, given the 30% (brownfield) or 40% (greenfield) requirement for affordable housing, depending on the quantum of development it is difficult to distribute the affordable housing evenly throughout the development whilst adhering to the clustering requirements set out in the SPD.</p>	<p>Comments noted</p> <p>Re-wording of Para. 9.2 with an additional Paragraph recommended to emphasise the importance of pre-application discussions.</p>	

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>Secondly, the future management (and on costs) of affordable homes is easier if affordable homes are clustered together rather than distributed across a development. This is generally preferable for registered providers.</p> <p>It is considered that there needs to be more flexibility built into the SPD in respect of these issues and when assessing future planning applications against the criteria.</p> <p>Persimmon also considers that it is important that plans for future developments should be viewed in respect of how streets will be navigated when built rather than solely on a plan-view basis. On plan, some affordable properties may be considered to be in close proximity to each other, however navigation of the streets when built would mean that this is not always the case.</p>		
10 Design Requirements					
10	AH34	Home Group	<p>In respect to paragraphs 10.1 – 10.5, we are encouraged in your approach to the National Design Guide and adoption of the NDSS via local policy, however the effect this has on viability and overall number of homes delivered should be considered carefully and balanced against needs and market factors. We query whether this section is specific enough to deliver what you want it to, you may want to consider highlighting some of the standards and the implications on design? Alternatively it will require close management and guidance through the early pre app engagement stages of planning.</p> <p>We are supportive of your position in respect to all affordable homes being indistinguishable from market homes, and support your approach to house type design, within paragraph 10.4, in respect to equally distributing house type design between affordable and open-market units. As mentioned previously differing accessibility standards may make this more difficult to achieve. We are encouraged by paragraph 10.6 which makes a requirement</p>	<p>Comments noted</p> <p>Policy HS5 came into force Sept 2020, 6mths after the adoption of the Local Plan as set out in the Justification <i>Para. 5.42 To help enable developers to factor in the cost of building to the NDSS into future land acquisitions, the application of this policy will come into effect six months following the adoption of the Local Plan.</i></p> <p>With regard to Accessible and Adaptable dwellings Policy HS1 requires 'On developments of 10 or more dwellings 25% of the market units should be built to be accessible and adaptable homes' which supports HS2 requirement that affordable housing is indistinguishable from the market housing on the same site.</p>	<p>Recommend text to Para. 10.5 is amended as set out in bold</p> <p>10.5 Minimum space standards ensure that households have decent housing with sufficient room to live, which is particularly important when every bedroom is expected to be used as such as is the case with affordable rented housing. The Council has adopted the Government's Nationally Described Space Standard (NDSS) through the Local Plan (Policy HS5: Space Standards) and this standard is to be regarded as a minimum; in certain circumstances (for example, 1-bed flats) the Council may continue to expect a continue to expect a higher space standard in certain circumstances in order to ensure a good standard of living.</p>

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
10	AH17	Bewerley Parish Council	<p>to incorporate a built-in storage space, convenient and fit for purpose storage is important and is often overlooked in house type layout design. Sustainability should also be considered in house type layout to future proof homes, for e.g. inclusion of an additional store large enough to take a water cylinder (that doesn't reduce a households access to storage), if heating methodology dictates in future to achieve changing environmental standards.</p> <p>Bewerley Parish Council believes that the design standards for all new homes, and particularly affordable homes, should support action to address climate change and ensure that housing is increasingly energy efficient. The design requirements in this guidance are couched in terms of current building standards. They should be amended to make specific reference to incorporating any new developments in building standards, such as the Future Homes Standard, as they are adopted by government and regulatory bodies. This would be consistent with the recently published government report 'The Ten Point Plan for a Green Industrial Revolution'.</p>	<p>Comments noted</p> <p>The Local Plan must be considered as a whole, policies related to Climate Change are set out in Chapter 7. Recommend a paragraph advising of other policies in the Local Plan which may be relevant.</p>	<p>Additional Para. 10.8 recommended in bold</p> <p>10.8 The Local Plan must be considered as a whole and there may be other policies relevant to the design of your proposals, including those within the chapters relating to Climate Change, Heritage and Placemaking and Transport and Infrastructure.</p> <p>Additional clarification and text recommended to Appendix 2 - Council's Agreed Specification for Affordable Homes seeks to ensure new affordable homes provide a good standard of living and are indistinguishable to the market dwellings on the same site.</p> <p>Appendix 2 additional text in bold</p>
10	AH11	Stephen Hughes	<p>We would like to object to the wording in Paragraph 10.5 specifically in relation to the proposed approach towards space standards for 1 bed flats. The draft comments that compliance with NDSS will be required for all house types but that a higher space standard will be sought for 1-bed flats.</p> <p>We have 3 main issues in this respect; firstly the SPD is looking to introduce a requirement that should have been explicit within the Local Plan policy itself; secondly it provides no justification or evidence as to why achieving NDSS for 1 bed flats is unacceptable and thirdly it does not appear to have been included as part of the viability testing at the Local Plan stage.</p> <p>In terms of the first issue, Policy HS5 states that NDSS will be required, as a minimum, for new market and affordable housing development. The policy is therefore quite clear in that if a scheme, including 1 bed flats, meets NDSS then it complies with the requirements of the Plan</p>	<p>Comments noted</p> <p>Recommend paragraph 10.5 is reworded.</p>	<p>Matching the market homes on the development, including bathroom windows. Window restrictors to first floor casement windows (except fire escape window)</p> <p>Entrance hall, lobby or porch and front entrance door. Steel faced paint finish secured by design fire door matching market units. Mains operated door bell. Letter box and house numbers to be included.</p>

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			<p>policy and would be acceptable. There is no reference or trigger within the Policy that would require a higher standard to be met in order for a scheme to be acceptable - the SPD is therefore in conflict with the policy in this respect and could not be used to resist a scheme where for example 1 bed flats only meet NDSS.</p> <p>In terms of the second point, again there is no explanation, reasoning or evidence to demonstrate why the NDSS for a 1 bed flat are somehow deficient or unacceptable. If achieving NDSS for all other house types is acceptable then why would a 1 bed flat be any different?</p> <p>Finally, the Planning Practice Guidance (PPG) is clear that the introduction of NDSS would only be justified where evidence shows that there is a need and that it would be viable. We are not aware of any viability testing that has been undertaken in respect of 1 bed flats that are above the standards set in the NDSS as part of the Local Plan process. There is therefore no way of knowing whether such a requirement would be viable contrary to the PPG.</p> <p>In light of the above points we would strongly urge the LPA to delete this paragraph from the SPD.</p>		
10	AH2	Jenny Jacobs	<p>It is not enough to reference the Government's National Design Guide. You must spell out the implications, for example the needs for fuel efficiency and good natural lighting and ventilation mean that dwellings need to meet certain minimum criteria. Developers are unlikely to supply them unless this is absolutely explicit. I would include the following:</p> <ol style="list-style-type: none"> 1) All homes must include an entrance hall, lobby or porch. 2) The main house bathroom must include an openable window. 	<p>Comments noted</p> <p>The National Design Guide requires well-designed homes maximise natural ventilation, avoid overheating, minimise sound pollution and have good air quality, with a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.</p> <p>This sets out the importance of windows across the property and standard and quality of internal space. In addition, the specification requires affordable units to be indistinguishable from the market dwellings as set out in Policy HS2.</p>	
10	AH50	Harrogate & District Green Party	<p>- Include requirements for all new affordable homes to have an entrance hall, lobby or porch.</p>	<p>Comments noted</p>	

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
11 Affordable Housing Need					
11	AH21	Gladman	<p>The affordable housing SPD seeks to provide further clarification of when affordable housing is required and how it will be provided, particularly in relation to Local Plan policies HS1 and HS2. As noted above, it is imperative that this document does not seek to create new policy, but rather just supplement the policies and supporting text within the Local Plan.</p> <p>Gladman note that policy HS2 of the adopted Local Plan sets out a split requirement for the provision of affordable housing. In line with Policy HS2, the Council will require 40% affordable housing on all qualifying greenfield developments including mixed use schemes, and 30% on all qualifying brownfield developments including mixed use schemes and conversions, subject to viability and the demonstration of the need for affordable housing.</p> <p>Paragraph 11.1 through to 11.3 of the draft SPD detail the affordable housing mix as identified in the HEDNA and sets out the broad mix the Council will seek to achieve on applicable developments. Gladman note that the SPD is seeking an affordable housing mix that differs from that modelled in the HEDNA, specifically, more two bed properties and fewer one bed properties. Gladman would urge the Council to ensure the SPD is clear the housing mix provided, whilst encouraged, is not a fixed requirement and that the specific mix of affordable housing properties will be discussed with applicants on a site by site basis through the development management process.</p>	<p>The National Design Guide requires well-designed homes maximise natural ventilation, avoid overheating, minimise sound pollution and have good air quality, with a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.</p> <p>This sets out the importance of windows across the property and standard and quality of internal space. In addition, the specification requires affordable units to be indistinguishable from the market dwellings as set out in Policy HS2.</p>	
			<p>Comments noted</p> <p>The affordable housing need informed by the HEDNA (May 2018) fed into the Local Plan.</p> <p>The HEDNA at Para. 10.39 reads: <i>'There are thus a range of factors which are relevant in considering policies for the mix of affordable housing sought through development support policies for the mix of affordable housing of:</i></p> <ul style="list-style-type: none"> ● 1-bed properties: 30-35% ● 2-bed properties: 40-45% ● 3-bed properties: 15-20% ● 4-bed properties: 5-10% <p>The HEDNA housing mix is the starting point for negotiations on affordable housing mix, with reference to the HEDNA wording added for clarity.</p>	<p>Recommend this section is amended; amended text in bold</p> <p>11.1 Policy HS2 reads; 'The final tenure mix of the affordable housing on individual sites will be determined through negotiation taking account of up-to-date assessments and the characteristics of the area'. The HEDNA provides an estimate of the proportion of homes of different sizes that are needed at a District-wide level and sets out a suggested mix of affordable properties that should be sought. The conclusions informing the suggested affordable mix recognise the role which the delivery of larger family homes can play in releasing a supply of smaller properties for other households; together with the limited flexibility which one-bed properties offer to changing household circumstances which feed through into higher turnover and management issues.</p>	

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
10	AH7	Maton-cum-Grafton Parish Council	The requirement of 70%/30% rent/sales should be flexible to reflect local circumstances. Higher employment mobility and hence rental levels in urban centres may not be reflected in villages where residents who qualify for affordable housing are struggling to purchase a home.	Comments noted The HEDNA identifies the housing need of the District.	11.2 The need for affordable homes of different sizes will vary by area (at a more localised) level and over time. In considering the mix of homes to be provided within specific development schemes, the suggested mix identified in the HEDNA should form the starting point and this information should be brought together with details of households currently on the Housing Register in the local area, the stock and turnover of existing properties. (1) Affordable housing mix should be discussed with the Council's Housing team as part of pre-application discussions prior to the submission of a planning application.
10	AH35	Home Group	In respect to paragraph 11.1, .2 and .3 there may be occasions where flexibility on the house type provision, particularly 1 and 4 bed provision is required depending on site specifics, as well as area as you already cover. In section 11.4, we support your affordable housing breakdown tenure preference of 70% affordable rental units – 30% shared ownership units, again this should be considered on a site by site basis to ensure it meets market needs.	Comments noted The HEDNA provides a range of suggested values, subject to other evidence/factors. It is recommended that the wording of Para. 11.2 is amended and reference to the need for pre-application discussions included.	11.3 When looking at affordable housing tenure and the different types of affordable homes (2), the HEDNA indicates that an appropriate rent/sale split would be 70%/30% in favour of rented housing.
10	AH50	Harrogate & District Green Party	-Paragraph 158 of the NPPF outlines that local planning authorities should ensure policies are based on relevant and up to date information. The SPD needs to require developments reflect the size of dwellings needed, as identified in the 2018 Harrogate HEDNA; - 1 bed properties 30-35% - 2 bed properties 40-45% - 3 bed properties 15-20%	Comments noted The HEDNA provides a range of suggested values, subject to other evidence/factors. It is recommended that the wording of Para. 11.2 is amended and reference to the need for pre-application discussions included.	

1 HEDNA May 2018 Para. 10.41

2 Glossary in Appendix E

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
10	AH46	Homes England	<p>- 4 bed properties 5-10%</p> <p>Preferred Size Mix for Affordable Housing</p> <p>The Affordable Housing SPD states that the Housing and Economic Development Needs Assessment (HEDNA) (2018) identifies that the future affordable housing mix required is:</p> <ul style="list-style-type: none"> • 1-bed 30-35% • 2-bed 40-45% • 3-bed 15-20% • 4-bed 5-10% <p>The SPD then goes on to identify a different mix which the Council will seek to achieve which is:</p> <ul style="list-style-type: none"> • 1-bed 15% • 2-bed 60% • 3/4 bed 25% <p>This alternative mix which moves away from the clear evidence contained in the HEDNA is sought to be justified in the SPD on the basis of: 'the strategic conclusions recognise the role which the delivery of larger family homes can play in releasing supply of smaller properties for other households; together with the limited flexibility which one-bed properties offer to changing household circumstances'.</p> <p>These points are valid. However, the HEDNA in its commentary, prior to identifying the affordable housing mix which could be supported by policy, has already taken these issues into consideration. The affordable housing</p>	<p>Comments noted</p> <p>The HEDNA provides a range of suggested values, subject to other evidence/factors. It is recommended that the wording of Para. 11.2 is amended and reference to the need for pre-application discussions included.</p>	

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
10	AH39	Persimmon Home - Yorkshire	<p>mix as stated in the SPD to be taken from the HEDNA has been adjusted to take into account the likely future requirement.</p> <p>Analysis in the HEDNA shows that future affordable housing need, under the two future need scenarios considered, shows for 1 bed properties a range of between 46.2% and 53% and 2-bedroom properties 32.7% and 33.2%. The HEDNA, recognising the issues with demand and turnover of 1-bedroom properties, highlights that provision at the level identified by the modelling may not be appropriate. Thereby concluding the revised mix which could be supported through policy as:</p> <ul style="list-style-type: none"> • 1-bed 30-35% • 2-bed 40-45% • 3-bed 15-20% • 4-bed 5-10% <p>The Council in arriving at the mix they will seek to achieve (paragraph 11.2 of the SPD) have added an additional layer of revision to the HEDNA's identified future affordable mix which has already been through an adjustment process.</p> <p>Homes England consider that the additional adjustment made in the SPD by the Council to the future affordable housing mix is unjustified. The proposed mix set out in the HEDNA and stated in the SPD is the mix which can be justified and supported by the evidence and should form the basis of the requirement for affordable housing mix in the SPD. Flexibility on future mix is also considered to be important and balanced alongside other requirements set out in the SPD.</p>	Comments noted	

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>The Affordable Housing SPD states that the HEDNA (2018) identifies that the future affordable housing mix required is:</p> <ul style="list-style-type: none"> • 1-bed 30-35% • 2-bed 40-45% • 3-bed 15-20% • 4-bed 5-10% <p>The SPD then goes on to identify a different mix which the Council will seek to achieve which is:</p> <ul style="list-style-type: none"> • 1-bed 15% • 2-bed 60% • 3/4 bed 25% <p>This alternative mix which moves away from the clear evidence contained in the HEDNA is sought to be justified in the SPD on the basis of: 'the strategic conclusions recognise the role which the delivery of larger family homes can play in releasing supply of smaller properties for other households; together with the limited flexibility which one-bed properties offer to changing household circumstances'.</p> <p>These points are valid. However, the HEDNA in its commentary, prior to identifying the affordable housing mix which could be supported by policy, has already taken these issues into consideration. The affordable housing mix as stated in the SPD to be taken from the HEDNA has been adjusted to take into account the likely future requirement.</p> <p>Analysis in the HEDNA2 shows that future affordable housing need, under the two future need scenarios considered, shows for 1 bed properties a range of between 46.2% and 53% and 2-bedroom properties 32.7% and 33.2%. The HEDNA, recognising the issues with demand</p>	<p>The HEDNA provides a range of suggested values, subject to other evidence/factors. It is recommended that the wording of Para. 11.2 is amended and reference to the need for pre-application discussions included.</p>	

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>and turnover of 1-bedroom properties, highlights that provision at the level identified by the modelling may not be appropriate. Thereby concluding the revised mix which could be supported through policy as:</p> <ul style="list-style-type: none"> • 1-bed 30-35% • 2-bed 40-45% • 3-bed 15-20% • 4-bed 5-10% <p>The Council in arriving at the mix they will seek to achieve (paragraph 11.2 of the SPD) have added an additional layer of revision to the HEDNA's identified future affordable mix which has already been through an adjustment process.</p> <p>Persimmon consider that the additional adjustment made in the SPD by the Council to the future affordable housing mix is unjustified.</p> <p>Persimmon consider flexibility in applying future affordable mix identified in the SPD is important going forward. This is recognised in the SPD itself which states that the need for affordable housing of different sizes will vary by area and over time. As such the Council will need to allow flexibility and take into consideration local evidence to inform affordable housing mix on a site-by-site basis to ensure identify local needs are met.</p> <p>Flexibility on future mix is considered to be important and balanced alongside other requirements set out in the SPD, such as the need to provide M4 (2) and M4 (3) compliant homes. It is also considered that the mix should not be applied rigidly to sites and that the Council should allow for a flexible approach to be taken.</p>	<p>Comments noted</p>	
10	AH20	Rentplus UK Ltd	<p>We welcome the Council's decision to produce an updated SPD as part of an overall suite of policies and guidance for affordable housing in Harrogate.</p>		

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			<p>The recently-adopted Local Plan policy HS2 'Affordable Housing' offers a significant degree of flexibility for agreeing the size, type, tenure and scope of affordable housing on development sites. It states that "The final tenure mix of the affordable housing on individual sites will be determined through negotiation taking account of up-to-date assessments and the characteristics of the area". This approach means that development schemes can effectively respond to local affordable housing needs. It is not unduly prescriptive and provides scope for innovation in affordable housing provision that can best meet local needs.</p> <p>That said, there is relatively little guidance on tenure for developers and housing providers. Paragraph 11.4 of the SPD notes that "When looking at affordable housing tenure, the HEDNA indicates that an appropriate rent/sale split would be 70/30% in favour of rented housing" but there is little further detail on tenure types beyond this guidance. Separately, paragraph 5.22 of the Local Plan's supporting text explains that the Council is cognisant of the need provide 10% affordable home ownership (as required since July 2018 under paragraph 64 of the Framework) and notes that this has been tested in the Whole Plan Viability Assessment.</p> <p>Guidance in the HEDNA on needs for affordable home ownership is also relatively limited. The May 2018 HEDNA (produced by GL Hearn) goes as far as to state at paragraph 7.9 that "There is arguably no additional need for affordable home ownership given that households in this income band could already afford private rented accommodation". Of course, such an approach risks 'trapping' households in the private rented sector – exactly those kinds of people who Rentplus aims to assist. The SPD as drafted sensibly recognises that not providing for affordable home ownership would have detrimental effects and be contrary to national policy.</p> <p>Our recommendations are therefore three-fold:</p> <p>Paragraph 11.4 of the SPD should be expanded to explore matters of housing tenure in more depth. We recommend that it includes a discussion of the various affordable housing tenure types (which are correctly identified in the</p>	<p>The HEDNA provides a range of suggested values, subject to other evidence/factors. It is recommended that the wording of Para. 11.2 is amended and reference to the need for pre-application discussions included.</p>	

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>SPD's glossary), recognising the ability of rent to buy to come forward in line with the Framework definitions of affordable housing.</p> <p>A new paragraph after 11.4 should explain the relationship between the affordable housing policy HS2 and paragraph 64 of the Framework which requires 10% of the total number of homes on major development sites to come forward for affordable home ownership. A 33:67 split of affordable home ownership to affordable rent, would achieve this objective on a scheme delivering 30% affordable. The SPD should also explain that the tenure mix will flex where necessary, depending on the overall proportion of affordable housing on any given site, to ensure the 10% affordable home ownership provision is met.</p> <p>In due course, review the HEDNA to include a full assessment of the needs for affordable home ownership including for affordable rent to buy. Whilst technically speaking many households seeking affordable home ownership might be able to afford a home in the private rented sector, this is antithetical to the Government's stated objective of widening home ownership and moreover, it traps households in an insecure, expensive form of tenure and prevents them from achieving their dream of homeownership.</p>		
14 Financial Viability					
14	AH36	Home Group	Regarding section 14 – financial viability – the requirements for affordable homes contained herein (particularly accessibility) should form a consideration as part of any viability testing.	<p>Comments noted</p> <p>Construction to meet Accessible and Adaptable were costed in the Local Plan Viability Update and CIL Viability Assessment (January 2019) (which can be viewed on line at www.harrogate.gov.uk) and tested at Examination. Recommend text is amended for clarity.</p>	<p>Recommend amendments to Para. 14.5, additional text in bold</p> <p>14.5 In line with the guidance in the NPPG (7) any viability assessment should be prepared on the basis that it will be made publicly available (other than in very exceptional circumstances). Where financial information is required to be kept confidential, a detailed financial</p>

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
15 Vacant Building Credit					
15	AH23	Harrogate Civic Society	<p>15.1 We understand the point of the NPPF in providing for Vacant Building Credit (VBC) in order to encourage the re-use of brownfield sites. However, it is disappointing to realise that there is the potential in applying VBC that fewer affordable homes may be provided than otherwise or that commuted sums may be reduced. We would prefer that individual Planning Authorities could apply their own brownfield land policies to best advantage in the local circumstances.</p> <p>15.2 The Council needs to apply the VBC rates carefully to the very best advantage in regard to the provision of Affordable Housing.</p>	<p>Comments noted</p> <p>Vacant Building Credit is national policy supported by guidance in the NPPG.</p>	<p>Text amended within Para. 15.1 and 15.2, amendments in bold</p> <p>15.1 The Government introduced Vacant Building Credit (VBC) to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings (3). The NPPF and NPPG makes it clear that this does not apply to vacant buildings which have been abandoned.</p> <p>15.2 In line with the guidance in NPPG evidence will be required to demonstrate that the building has not been abandoned or made vacant for the sole purposes of redevelopment not left vacant for the sole purpose of redevelopment. The applicant will need to produce evidence to show condition of the property, periods of non-use, whether there have been any intervening uses and evidence of the owners intention, by factors</p>
15	AH14	Stephen Hughes	<p>We would raise an objection in part to Paragraph 15.2 of the Draft SPD in relation to the application of Vacant Building Credit (VBC). The SPD is looking to introduce a series of policy tests in relation to VBC which go beyond the requirements in the NPPF and the PPG.</p> <p>The PPG makes it clear that there are 3 tests to be considered in whether to apply VBC to a qualifying scheme; that the site/buildings have not been abandoned, that they have not been made vacant for the sole purposes of</p>	<p>Comments noted</p> <p>Text amended to refer to the guidance set out in NPPG</p>	

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>redevelopment and that the site is not covered by an extant or recently expired planning permission for a similar form of development.</p> <p>We therefore object to the requirements to demonstrate that the site has been marketed, an assessment of need for the existing use in the area and an explanation as to why VBC is required to incentivise the development as they are inconsistent with the NPPF and the PPG. In terms of the final point, the NPPF makes it clear that the purpose of VBC is to incentivise brownfield development and this point therefore does not need to be re-visited at application stage.</p> <p>The Council suggests that brownfield development is already incentivised through a lower affordable housing requirement. The lower affordable requirement is in place not because it is an incentive but because it was the maximum level that could be required without making schemes unviable.</p> <p>We would therefore suggest that this paragraph be deleted or re-worded to more accurately reflect the guidance in the PPG.</p>		<p>such as: dates of use; efforts at marketing. (4) and why VBC might be required to incentivise redevelopment of the building.</p>
16 Planning Applications					
16	AH24	Harrogate Civic Society	<p>16.3 & 16.4 It would be preferable to say that applicants MUST engage in a realistic way with Housing & Develop Management teams in pre-application discussions. Failure to do so should result in an application being invalid. The words 'Applicants should contact' or 'Applicants are urged' are not positive enough. Delays or failures of applications at a later stage due to lack of discussion, wastes everyone's time.</p>	<p>Comments noted</p> <p>The use of the Council's pre-application service is encouraged throughout the SPD but engagement in pre-application discussion is not a validation requirement.</p>	<p>No changes proposed</p>
Appendix B - Agreed Specification for Affordable Houses					

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
Appendix B	AH25	Harrogate Civic Society	<p>Appendix 2 Specifications</p> <p>Heating – We suggest that the specification of a gas fired boiler will be outdated very soon because of efforts to reduce global warming by reduction or elimination of the use of fossil fuels. The use of solar panels, ground source heat pumps and air source heat pumps should be emphasized.</p> <p>Kitchen - This comment on the use of gas also applies of course to a gas cooker.</p>	<p>Comments noted</p> <p>Text to be amended to refer to energy efficient heating systems and appliances etc.</p>	
	AH13	Steve Brook	<p>Since the specification was developed new targets re zero carbon have been introduced. These have not been included in the specification. Arguably to meet the target the EPC band of the property should be increased and gas should not be present in the property (or the whole scheme).</p>	<p>Comments noted</p> <p>Text to be amended to refer to energy efficient heating systems and appliances etc.</p>	
Appendix C Methodology for calculating commuted sums					
Appendix C	AH48	Homes England	<p>Commuted Sum Calculation Methodology</p> <p>Appendix 3 of the SPD outlines the proposed methodology for calculating commuted sums. As currently outlined, the approach does not take into account the additional costs that a developer incurs in selling a property on the open market when it cannot be delivered as an affordable home. Once an affordable unit is sold on the open market, the financial risk and costs for the developer increase significantly and this needs to be reflected in the calculation of any commuted sum so that the developer is not any worse off than if they are transferred to a Register Provider (RP).</p> <p>With reference to risk it is widely accepted that the developer's margin on an open market unit should be higher (at least 20%) than on an affordable unit being transferred to a RP (at least 6%). This is because a transfer to a RP will involve a large number of units in one transaction and provides a number of guaranteed sales that the open market cannot. Once those units have to be</p>	<p>Comments noted</p> <p>Registered Providers are matched through a Matching Panel which comprises of 16 RPs. Pre-application discussions with RP's help to ensure dwellings come forward. To date there have been no instances where the Council has failed to identify an RP to take affordable homes on a site.</p>	<p>No changes proposed</p>

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
			<p>sold on the open market the risk to the developer increases and it does so in two ways. Firstly, each of the units is required to be sold to an individual buyer rather than in bulk as part of a single transaction. Secondly, the number of units coming on the open market increases and creates greater competition within the same pool of buyers. In effect, the developer is competing with themselves. These open market risks are less likely to exist when the units are sold to a RP and need to be reflected in an open market margin on the affordable housing commuted sum.</p> <p>Further to this, there can be an additional cost burden on the developer associated with selling a greater number of units on the open market. As noted above, the number of open market units increases but the number of buyers in the market does not. This could mean that the length of time taken to sell the units increases which in turn increases overheads (including overheads and marketing costs) which also need to be accounted for. In addition, open market sales are often subject to sales incentives (e.g. curtains, carpets, white goods or turf) or sales extras (where the purchaser will purchase certain items as part of the transaction). These items do not contribute to the open market value of the property and should be allowed for by netting off the calculation of the open market value in any formula for calculating a commuted sum.</p> <p>In short, whilst a mechanism for a contribution via a commuted sum is supported, in its current form it does not take account of the risks and costs imposed on a developer should they be forced to sell the units on the open market. Homes England considers that the commuted sum calculation should take account of all proper costs incurred by a developer in selling a property on the open market and hence these should rightly be deducted from the final commuted sum payable.</p>		

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Section	ID	Name	Comments	Response	Amendments to SPD by Chapter
Appendix C	AH41	Persimmon Homes-Yorkshire	<p>Commutated Sum Calculation Methodology</p> <p>Appendix 3 of the SPD outlines the proposed methodology for calculating commuted sums to be used where, ultimately, an affordable home cannot be transferred to a registered provider and a cascade mechanism is used to release the home for sale on the open market with a financial contribution paid to the Council for the delivery of affordable homes.</p> <p>As currently outlined, the approach does not take into account the additional costs that a developer incurs in selling a property on the open market when it cannot be delivered as an affordable home. Once an affordable unit is sold on the open market, the financial risk and costs for the developer increase significantly. This needs to be reflected in the calculation of any commuted sum so that the developer is not adversely affected compared to if the affordable unit(s) are transferred to a Register Provider (RP).</p> <p>With reference to risk it is widely accepted that the developer's margin on an open market unit should be higher (at least 20%) than on an affordable unit being transferred to a RP (at least 6%). This is because a transfer to a RP will involve a large number of units in one transaction and provides a number of guaranteed sales that the open market cannot. Once those units have to be sold on the open market the risk to the developer increases and it does so in two ways. Firstly, each of the units is required to be sold to an individual buyer rather than in bulk as part of a single transaction. Secondly, the number of units coming on the open market increases and creates greater competition within the same pool of buyers. In effect, the developer is competing with themselves. These open market risks are less likely to exist when the units are sold to a RP and need to be reflected in an open market margin on the affordable housing commuted sum.</p> <p>Further to this, there can be an additional cost burden on the developer associated with selling a greater number of units on the open market. As noted above, the number of open market units increases but the number of buyers in the market does not. This could mean that the length of time taken to sell the units increases which in turn</p>	<p>Comments noted</p> <p>Registered Providers are matched through a Matching Panel which comprises of 16 RPs. Pre-application discussions with RPs help to ensure dwellings come forward.</p>	<p>No changes proposed</p>

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			<p>increases overheads which also need to be accounted for. In this context, it is noted that marketing costs for affordable homes are typically limited, and due to the way that Harrogate Borough Council currently assigns providers to sites, no marketing costs are incurred by the developer in connection with affordable homes. In addition, open market sales are often subject to sales incentives (e.g. curtains, carpets, white goods or turf) or sales extras (where the purchaser will purchase certain items as part of the transaction). These items do not contribute to the open market value of the property and should be allowed for by netting off the calculation of the open market value in any formula for calculating a commuted sum.</p> <p>In short, whilst a mechanism for a contribution via a commuted sum is supported, in its current form it does not take account of the risks and costs imposed on a developer should they be forced to sell the units on the open market. Persimmon considers that the commuted sum calculation should take account of all proper costs incurred by a developer in selling a property on the open market and hence these should rightly be deducted from the final commuted sum payable. This approach has been agreed on a number of sites in the borough already.</p>		

Table 4.1

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- 4.1 Due to technical errors in recording comments on the system the following comment references were not used: AH1, AH15, AH18 and AH19.