



Exeter City Council

AFFORDABLE HOUSING
Supplementary Planning Document
Consultation Statement

August 2010

1.0 Consultation under Regulation 17

- 1.1 Under the Planning and Compulsory Purchase Act 2004 (regulation 17 (1) (b)) it is a requirement to prepare and make available a Statement setting out:
- (i) the names of any persons whom the authority consulted in connection with the preparation of the SPD;
 - (ii) how the persons were consulted;
 - (iii) a summary of the main issues raised in those consultations; and
 - (iv) how these issues have been addressed in the SPD.

2.0 Details of Consultation

- 2.1 On 14 February 2007, key stakeholders were advised that the Council intended to prepare an SPD on affordable housing and asked for input on what it should include. Those who were (informally) consulted are listed in Appendix A.
- 2.2 Two responses were received as a result of the consultation. One provided general advice on best practice for affordable housing SPDs. The other argued that the number of new units would be maximised by keeping the thresholds at a reasonable level and by recognising the problems associated with developing brownfield sites.
- 2.3 The Council then produced a draft SPD and Sustainability Appraisal. The draft SPD covered policies both within the existing Exeter Local Plan and in the emerging Local Development Framework Core Strategy. The draft SPD and Sustainability Appraisal were consulted on in the autumn of 2007. A list of those consulted is provided in Appendix B.
- 2.4 In total, twenty-seven representations were received to the draft SPD and none to the Sustainability Appraisal. A range of views were expressed, but the main points to note are as follows:-
- i) There is insufficient evidence to support the Council's position as set out in the draft SPD and therefore there is no certainty that the SPD can deliver. Further evidence is required to justify the Core Strategy thresholds and tenure split and further assessment is required on viability and housing supply;
 - ii) The SPD has been issued prematurely. The Council should await the adoption of its Core Strategy;
 - iii) The Core Strategy threshold of 3 is too low and this will have an impact on the viability of sites which in turn could affect the Council's housing delivery and its five year supply;
 - iv) The draft SPD states that for schemes of up to 14 dwellings, a commuted sum will be required for off-site provision. It is not clear how the Council will secure this off-site provision, particularly given the shortage of housing sites in Exeter;
 - v) The draft SPD should exempt schemes involving purpose built student accommodation and housing for people receiving care or support. If student schemes do not come forward as a result of this, there will be additional pressure on existing residential areas to accommodate increased student numbers;
 - vi) Open book appraisals, to assess whether sites are rendered unviable by the affordable housing requirements, will put commercially sensitive information in the public domain and will suggest the planning permission does not run with the land;
 - vii) The draft SPD is not in line with Government guidance which, amongst other things, sets a national threshold of 15 and states that affordable housing should be provided on-site wherever possible.

- 2.5 The Council considered these responses in detail and, as a result, made some amendments to the draft SPD. However, the Council did not immediately proceed with adopting the SPD because delays at the regional level in adopting the Regional Spatial Strategy (RSS) for the South West resulted in significant delays to the LDF Core Strategy timetable. In the meantime, the Council built on its evidence base by, for example, producing a viability assessment and a Strategic Housing Land Availability Assessment (SHLAA).
- 2.6 As a result of continuing delays with the RSS process the Council concluded that, in order to assist it in implementing Local Plan policies, it should bring forward a document that only amplifies the current policy position. A further draft SPD and Sustainability Appraisal were therefore produced referring only the Policy H6 of the Local Plan. During the preparation process informal consultations were carried out between planning and housing officers at the Council.
- 2.7 The draft SPD and Sustainability Appraisal were subject to public consultation for 6 weeks between 27 January 2010 and 11 March 2010. A press advert was issued and all documents were made available to read or download from the Council's web site (www.exeter.gov.uk), to view at the Civic Centre and upon request from Forward Planning (paper copy). Planning agents, neighbouring authorities, interest groups, Councillors, Council officers and other relevant bodies on the Council's database were notified directly via email, if available, or postal address. A list of those consulted is included at Appendix C and amounts to 179 individuals or organisations.
- 2.8 A total of 11 representations were received to the draft SPD and none to the Sustainability Appraisal. The representations are set out in Appendix D, with the Council's responses alongside setting out they have been addressed, including amendments to the draft SPD where accepted as appropriate.

**APPENDIX A: CONSULTEES FOR INFORMAL CONSULTATION ON AFFORDABLE HOUSING SPD,
FEBRUARY 2007**

- Government Office of the South West
- The House Builders Federation
- Shelter
- South West RSL Consortium (Tetlow King)
- Andrew Davies, Yelverton Properties*
- Mrs P Wootton, Exeter Civic Society*
- Trevor Gardner, Exeter Community Initiatives*
- Nicholas Over*

*Members of Exeter Core Strategy Consultation group

APPENDIX B – CONSULTEES FOR DRAFT SPD & SUSTAINABILITY APPRAISAL, AUTUMN 2007

Title	First Name	Last Name	Organisation
Ms	J	Thomas	David Wilson Estates
Mr	T	Smith	Stags
Mr	A	Sydenham	Ridge Property Consulting
Mrs	J	Gould	Premier Homes
Mr	N	Willatt	Residents Association - Bury Meadow
Mr	Peter	Hill	Residents Association - Southbrook Road
Mrs	P	Wackerbarth	Residents Association - Danes Road
Ms	R	Taylor	Residents Association - Edgerton Park Road
Mrs	K	Layton	Residents Association - Powderham Crescent
			Premier Developments (SW) Ltd
			Westrock Ltd
			Fairweather (Southern) Builders Ltd
			Fulfords
			Jenner Homes Ltd
			Langdon Properties
			Portland Kingsley Estates
Mr	Peter	Hill	Neighbourhood Watch and Residents Association - Southbrook Road
Mr	N	Over	Churchill
Mr	P	Thompson	The Planning Bureau Ltd
Mr	C	Mitchell	Colin Buchanan and Partners
Mr	Duncan	Powell	Barton Wilmore
Mr	A	Soldat	The Barton Wilmore Partnership
Mr	A	Strange	White Young Green Planning
Mr	N	Matthews	Savills
Mr	A	Penna	King Sturge
Mr	E	Moffatt	The Diocese of Exeter
Mr	M	Gaye	Ford Simey Solicitors
Ms	Julie	McNichol	Positive Action South West
Mr	Dick	Laban	Exeter Shilhay Community Ltd.
Ms	J	Smith	Exeter Primary Care Trust
Mr	M	Chugg	Strutt & Parker
Ms	E	Summers	GVA Grimley
			Defence Estates Operations South
			The Guinness Trust
Mrs	D	Bonning	Exeter Housing Society Tenants Association
Mr	B	Pollard	Exwick Youth Football Club
Mr	Rob	Summers	Homeless Action Group - Exeter
Mr	K	Owen	Thornton Hill/West Avenue Residents' Association
Ms	Becky	James Singleton	University of Exeter Guild of Students
Mr	Brian	Taylor	Residents Association - Lower Duryard
Mrs	Reta	May	Residents Association - Upper Belvidere
Mr	Maurice	Spurway	Exeter FOE
Mr	Leonard	Dominy	Exeter Society for the Blind
Ms	Lesley	Dyer	LPT - Polsloe
Mr	Kevin	McKenzie	Racial Equality Council - Devon and Exeter

Mrs	Meg	Hitchcock	Residents Association - Prospect Park
Mr	J	Bunting	Exeter Volunteer Bureau
Mrs	Pat	Heron	LPT - Exeter Central
Mrs	Pat	Heron	Standing Conference of Women's Organisations
Mrs	Emma	Tay	Exeter Community Action
Mr	J	Cross	Community Association - Newtown
Mrs	Gloria	Edwards	Community Association - Stoke Hill
Mrs	Alison	Tame	Home-Start Exeter
Mr	Roger	Greenaway	Beacon Heath Residents and Tenants Association
Mr	Martyn	Goss	Council for Church and Society
Ms	Cathy	Coles	Senior Voice
Mrs	C	Smith	Exminster Parish Council
Ms	R	Patterson	Dev Plan UK
Mrs	R	Eastman	Drivas Jonas
Ms	B	McQuillan	Rapleys LLP
Ms	A	Bagehot	The Gypsy Council
Mr	Steve	Robinson	Teignbridge District Council
Mr	D	Angilley	Royston Leigh PLC
Mr	H	Williams	Planning Perspectives
	Kris	Mitra	KMA
Ms	Lis	Charge	Exeter Labour Party
Ms	Barbara	Lee	Richmond Fellowship
Mr	C	Hilditch	Stagecoach Devon Ltd
Supt.	J	Tennant	Devon & Cornwall Constabulary
Cllr	S	Hobden	Duryard Ward
Mrs	Eunice	Middlewick	Community Association - Whipton
Mr	Robin	Quant	Community Association - Wonford
Mr	P	Lacey	Exeter Vision Partnership
Ms	Liz	Ropschitz	MIND in Exeter
Ms	K	Pratt	Gypsy and Traveller Liaison Officer
Cllr	S M	Spence	Pinhoe & Mincinglake
Mrs	Patricia	Baker	Community Association - Shakespeare Road
Mrs	Janet	Gardner	Independent Living Centre
			Exeter Mosque
Cllr	R	Newby	Topsham Ward
Mr	I	Fleet	Community and Youth Association - Countess Wear
Mrs	Christine	May	Living Options Devon
Mr	R	Pocock	Old Rydon Ley Residents Committee
Mr	Peter	Wadham	Community Association - Alphington
Mrs	Jane	Greenslade	Ide Lane Friends
Mrs	Sue	Auton	Devon Association for the Blind
Cllr	M	Evans	Topsham Ward
			Connell Land and Planning
Ms	Lisa	Jennings	Devon Strategic Housing Group
Mr		Ellis	DSE Ltd
Ms	Jaqui	Gake	EHAG
Mr	Mark	Mabey	Magna Housing Group
			McCarthy and Stone
Mr	Gareth	Jones	Tor Homes
Mrs	J	Davis	GVA Grimley LLP

			Nathaniel Lichfield & Partners
Mrs	J	Higginbottom	Foot Anstey Planning
Mr	J	Bibbs	Strutt and Parker
Mr	R	Collison	Alder King
Ms	Sue	Walker	Strategic Land Partnerships
Mr	G	Armstrong	The Development Planning Partnership
Mr	W	Lean	Edward Symmons
Mr	M	De Courcy	The Bell Cornwall Partnership
Ms	L	Ross	Stewart Ross Association
Ms	Faye	Wilders	RPS Planning
Mr	D	Ames	David Ames Associates
Mr	N	Hayward	RPS
Mr	Edwin	Luckham-Down	Lookout Development Partnership
Mr	G	Crabbe	Ide Parish Council
Mrs	C	Muston	Home Builders Federation
Ms	L	Weaver	Level
Mr	M	Clarke	Baker Associates
Mr	R	Tetlow	Tetlow King Planning
Mr	G	Hill	Redrow Homes
Mr	J	Lawford	St Petrock's (Exeter) Ltd
Ms	H	Reynolds	St David's Residents and Business Association
Mrs	P	Wootton	Exeter Civic Society
			Exeter Community Initiative
Mr	J	Bunting	Exeter Council for Voluntary Services
Miss	N	Barnes	Clyst St George Parish Council
Mrs	B	Price	Woodbury Parish Council
Mrs	M	Howard	Broadclyst Parish Council
Mr	D	Davey	Stoke Canon Parish Council
Mr	A	Smith	Huxham Parish Council
Mrs	J	White	Bishops Clyst Parish Council
Mrs	L	McGhin	Upton Pyne Parish Council
Mrs	S	Adams	Shillingford St George Parish Council
Mr	M	Slater	Bovis Homes (South West Region)
Mr	R	Ormerod	Government Office for the South West
Mr	B	Bradshaw	
Mr	K	Woodhead	South West Regional Assembly
			Westbury Homes (Holdings) Limited
Mr	D	Seaton	Midas Homes Ltd
Mr	T	Larner	Barratt Exeter
Ms	Jane	Moore	Exeter Housing Society
Ms	J	Higginbottom	M Baker (Property Services) Ltd
Mr	P	Borne	Whitestone Parish Council
			Devon & Cornwall Housing Association Limited
Mr	A	Kitchener	Fulfords
Mr	A	Davies	Yelverton Properties
			Sydney Pratt Ltd
Mr	K	Hassan	East Devon District Council
Mr	J	Gussott	Mid-Devon District Council
Mrs	S	Meldon	Bramford Speke Parish Council
Mr	E	Chorlton	Devon County Council
Mr	S	Manly	Redrow Homes

			Sanctuary Housing Association (Exeter)
Ms	K	Payne	Persimmon Homes
Mr	J M	Smithson	Community Association - Topsham
Ms	J	Summers	Poltimore Parish Council
Mr	Martyn	Rogers	Age Concern - Exeter
Ms	Gloria	Beeching	Abbeyfield UK
Mr	Trevor	Ives	Housing Corporation
			Signpost Housing Association
			South West Regional Development Agency
			Sovereign Housing Group
Mr	Gareth	Jones	Tor Homes
			West Country Housing Association
			Network Rail
			Devon Conservation Forum
Mr	N	Waine	CPRE
			Pioneer Property Services Ltd
			East Devon New Community Partners
Mr	R	Pratt	Sidney Pratt (Builders) Ltd
Mr	M	Walker	Holcombe Burnell Parish Council
Ms	Laurie	Stroud	Guinness Care & Support
Mr	D	Woods	Topsham Society
Prof	S	Smith	University of Exeter

APPENDIX C: CONSULTEES FOR DRAFT SPD & SUSTAINABILITY APPRAISAL : JAN-MARCH 2010

Title	First Name	Last Name	Position	Organisation
Ms	Emma	Osmundsen	Housing Enabling Manager	Exeter City Council
Mr	Chris	Hancock	Housing Needs Manager	Exeter City Council
Ms	Kathryn	Lamble	Environmental Coordinator	Exeter City Council
Mr	Ron	Mayers	Strategic Housing Manager	Exeter City Council
Mr	Martin	Davies	Countryside Projects Officer	Exeter City Council
Mr	Andy	Robbins	Development Manager	Exeter City Council
Ms	Kerry	Plumb	Housing Enabling Officer	Exeter City Council
Mr	Rob	Simmonds	Community Consultation Officer	Exeter City Council
Mr	Theo	Goodall	Design Manager	Exeter City Council
Mr	Ian	Cowe	Leisure Manager	Exeter City Council
Mr	Paul	Faulkner	Parks and Open Spaces Manager	Exeter City Council
Mr	Ian	Quance	Bereavements Services Manager	Exeter City Council
Mr	David	Hubbard	Engineering and Construction Manager	Exeter City Council
Mr	Mike	Trim	Cleansing Services Manager	Exeter City Council
Ms	Camilla	Hampshire	Museum Manager	Exeter City Council
Mr	Richard	Ball	Head of Economy and Tourism	Exeter City Council
Mr	David	Prosser	Head of Estates Services	Exeter City Council
Mr	Alan	Caig	Head of Leisure and Museums	Exeter City Council
Mr	John	Leech	Environmental Health Manager	Exeter City Council
Mr	John	Harvey	City Centre Manager	Exeter City Council
Mr	Philip	Oldfield	Principal Economic Development Officer	Exeter City Council
Mr	Mike	Carson	Property Manager (Strategy)	Exeter City Council
Mr	Alan	Stokes	Building Control Manager	Exeter City Council
Mr	John	Rigby	Director	Exeter City Council
Mr	John	Allan	Project Manager	Exeter City Council
Mr	Richard	Short	Head of Planning and Building Control	Exeter City Council
Ms	Melinda	Pogue-Jackson	Policy Officer	Exeter City Council
Ms	Mandy	Pearse	Communications Manager	Exeter City Council
Ms	Gill	Wheelwright	Exeter Vision Partnership Support Officer	Exeter City Council
				Annington Homes
				Arbuthnot Latham & Co Limited
				Bishop's Move
				Business Advice Centre (South West Ltd)
				Chitterley Business Centre
				Cowling Commercial
				Devon & Cornwall Housing Association Limited
				Devon Community Housing Society Limited
				Force & Sons Commercial (Dawlish)
				Force & Sons Commercial (Exeter)

				Force & Sons Commercial (Teignmouth)
				Hallmark Developments South West
				Hanover Housing Association
				Housing Corporation
				limia plc
				Jenner Homes Ltd
				Jobcentre Plus
				Landflow Developments
				Landmark Information Group Limited
				Management Systems Modelling (MSM)
				Murray French (Exeter) Ltd
				Nathaniel Lichfield & Partners
				New Era Housing Association
				Office of Water Services
				Pennon Group Plc
				Royal Devon and Exeter Hospital Trust (Heavitree)
				Sanctuary Housing Association (Exeter)
Ms	Dawn	Prince-White		Homelesslink
Ms	Sabrina	Thomas	Gypsy and Traveller Liaison Officer	Alexandra Lodge
Ms	Charlotte	Weedon		Community Council of Devon
Ms	Mary	Pope		Connexions
Ms	Liz	Eddy	Administrator	Cruse Bereavement Care - Exeter and District Branch
Mrs	Sue	Auton	Director	Devon Association for the Blind
Mr	Nigel	Lott		Devon People First
Mr	John	Mann	Team Leader	Devon Youth Service - Exeter
Ms	Lucie	Hartley	Chief Executive	EDP Drug and Alcohol Services
Ms	June	Marshall	Development Worker	Exeter Carers Focus
Mr	Del	Thorp		Exeter Community Action
Mr	Alistair	Macintosh	Director	Exeter Community Initiative
Mr	Maurice	Spurway		Exeter FOE
Mr	Andrew	Sails		Exeter Interfaith Group
Mr	Roy	Deeks	Secretary	Exeter Senior Council
Mr	John	Bunting	Chief Executive	Exeter Volunteer Bureau
Mr	Ricky	Croal	Community Development Worker	Fata He
Ms	Moira	Macdonald	Co-ordinator	Fawcett Devon
Ms	Fleur	Rothwell		Global Action Plan
Mr	Dan	Drayton		Gloucester House
Ms	Jacqui	Gale	Director	Homeless Action Group - Exeter
Mr	Michael	Halls	Executive Director	Intercom Trust
Mr	Mohammed	Abrar		Islamic Centre of the South West
Mr	Andrew	Waite		Jehovah's Witness
Mrs	Christine	May	Administrator	Living Options Devon

Mr	Robert	Wynne	Co-ordinator	Magic Carpet
Ms	Mandy	Williamson	Chief Executive	MIND in Exeter and East Devon
Mrs	A	Roberts	Hon Secretary	Pinhoe Community Centre
Ms	Mags	Davies	Director	Positive Action South West
Ms	Fran	Jenkin	Chair	Refugee Support Group
Mr	Colin	Fletcher	Regional Director South West	Seeability (Royal School for the Blind)
				Shelter
				Shelter Housing Aid Centre
Ms	Sheila	Salmond	Co-ordinator	Side by Side
Ms	Mel	Hartley		St Petrock's (Exeter) Ltd
Mrs	Christine	Cottle		Sure Start
Dr	Ed	Moffatt	Assistant Diocesan Secretary	The Diocese of Exeter
Mr	Martyn	Goss		The Diocese of Exeter
Ms	A	Bagehot		The Gypsy Council
Mr	Dan	Kjeldren	Manager	The Ivy Project
Ms	Caroline	Smith	Centre Manager	The South West Multiple Sclerosis Centre
Ms	Chris	Pearson	Manager	Womens Aid - Exeter
Ms	Elizabeth	Hayler	Territory Manager	WRVS - Exeter
Ms	Naomi	Glanville		Agile & Senior Council for Devon
Mr	Martyn	Rogers	Director	Age Concern - Exeter
Mr	Terry	Roberts		Alzheimers Society (Exeter and District)
Mr	D	Read		Brethren Gospel Trust
Mrs	S	Curzon		Devon Pensioners Action Forum
Ms	Kate	Devlin	Chair	Devon Racial Equality Council (DREC)
Mr	Ian	Halliday	Chairman	Downs Syndrome Association - Exeter & East Devon
Mrs	S	Fodor		Exeter Hebrew Congregation
Mr	Robert	Leaper	Chair	Exeter Senior Voice
Ms	Cathy	Pelikan	Co-ordinator	Exeter Senior Voice
Mr	Richard	Crompton	General Manager	Exeter Shilhay Community Ltd
Mr	Dick	Laban	Executive Director	Exeter Shilhay Community Ltd
Mr	P	Fay		Exeter Society for the Blind
Mrs	Pam	Chown	Co-ordinator	Freedomwheels
Ms	Eleanor	Roth	Co-ordinator	In Touch Youth Counselling Service
Mrs	Jean	Cook	Secretary	Iscatape Talking Newspaper
Ms	Wendy	Cranston	Deputy Head	Skills for Learning - Exeter College
Miss	Nicky	Osborne	Co-ordinator	Sound Base
			Centre Development Manager	St Sidwell's Centre
Mr	Nigel	Way	Headteacher	The Fountain Centre
Ms	Jackie	Thomas	Community Services Manager	Victim Support Devon - Exeter, Mid & East Devon Branch
Mr	James S	Rowe		CPRE
Mrs	Bronwyn	Nott	Honorary Secretary	Mencap - Exeter
Mrs	Kay	Yendall	Manager	Community Transport Association - Exeter

Ms	Hannah	Reynolds		St David's Residents and Business Association
Mrs	Maggie	Butt	Chair	Topsham Community Association
Mr	Roger	Greenaway	Chairman	Beacon Heath Residents and Tenants Association
Mr	J	Cross	Secretary	Community Association - Newtown
Mrs	Margaret	Jordan	Chair	Community Association - Alphington
Mr	Brian	Taylor	Chair	Residents Association - Lower Duryard
Mr	David	Mogford	Chairman	Pinhoe Community Association
Mrs	Eunice	Middlewick	Secretary	Community Association - Whipton
Mr	Alan	Leadbetter	Chairman	Hillcrest Park Residents Association
Mrs	Bettie	Rogers	Secretary	Topsham Community Association
Ms	Lin	Hartmann	Chair	Residents Association - Bury Meadow
Ms	R	Taylor		Residents Association - Edgerton Park Road
Mrs	K	Layton		Residents Association - Powderham Crescent
Mrs	Meg	Hitchcock	Chair	Residents Association - Prospect Park
Ms	Lesley	Dyer	Chairman	LPT - Posloe
Mr	Geoff	Wilkinson		Topsham Society
Ms	Susan	Temple	Chair person	Thornton West Avenue Residents' Association
Mr	Peter	Hill	Secretary	Neighbourhood Watch and Residents Association - Southbrook Road
Mr	Kerrin	Lyons		Thornton Hill & West Avenue Residents' Association
Mr	Robin	Quant		Honorary Secretary
Mrs	Jane	Greenslade		Co-ordinator
				Residents Association - Danes Road
Cllr	Margaret	Baldwin	Exeter City Council (Conservatives)	Cowick Ward
Cllr	Dilys	Baldwin	Exeter City Council (Labour)	Mincinglake Ward
Cllr	Connel	Boyle	Exeter City Council (Labour)	Exwick Ward
Cllr	Stella	Brock	Exeter City Council (Liberal Democrats)	St David's Ward
Cllr	Philip	Brock	Devon County Council/Exeter City Council (Liberal)	St Davids & St James
Cllr	Marcel	Choules	Exeter City Council (Labour)	Priory Ward
Cllr	Jeff	Coates	Exeter City Council (Conservatives)	Cowick Ward
Cllr	Natalie	Cole	Exeter City Council (Liberal Democrats)	St James Ward
Cllr	Margaret	Danks	Exeter City Council (Liberal Democrats)	St Loye's Ward
Cllr	Peter	Edwards	Exeter City Council (Labour)	Whipton Barton Ward
Cllr	Olwen	Foggin	Devon County Council	Heavitree & Whipton Barton
Cllr	Adrian	Fullam	Exeter City Council (Liberal Democrats)	St Thomas Ward
Cllr	Chris	Gale	Exeter City Council (Liberal Democrats)	Heavitree Ward
Cllr	Adrian	Hannaford	Exeter City Council (Liberal Democrats)	Exwick
Cllr	Rob	Hannaford	Devon County Council / Exeter City Council (Liberal Democrats)	St Thomas Ward
Cllr	Yolanda	Henson	Exeter City Council (Conservatives)	Polsloe Ward
Cllr	Sheila	Hobden	Exeter City Council (Liberal Democrats)	Duryard & Pennsylvania

Cllr	Andrew	Leadbetter	Devon County Council (Conservatives)	St Loyes & Topsham
Cllr	Ian	Martin	Exeter City Council (Labour)	Mincinglake Ward
Cllr	K	Mitchell	Exeter City Council (Liberal Democrats)	St James Ward
Cllr	Joan	Morrish	Exeter City Council (Liberal Democrats)	St Loye's Ward
Cllr	David	Morrish	Exeter City Council (Liberal Democrats)	Heavitree Ward
Cllr	Rob	Newby	Exeter City Council (Conservatives)	Topsham Ward
Cllr	Vanessa	Newcombe	Devon County Council / Exeter City Council (Liberal Democrats)	Alphington Ward
Cllr	Laura	Newton	Exeter City Council (Liberal Democrats)	Exwick Ward
Cllr	Ben	Noble	Exeter City Council (Liberal Democrats)	Duryard Ward
Cllr	Jill	Owen	Devon County Council (Labour)	Priory & St Leonards
Cllr	Lesley	Robson	Exeter City Council (Labour)	Priory Ward
Cllr	Greg	Sheldon	Exeter City Council (Labour)	Priory Ward
Cllr	John	Shepherd	Exeter City Council (Labour)	Newtown Ward
Cllr	Norman	Shiel	Exeter City Council (Conservatives)	St Leonard's Ward
Cllr	Paul	Smith	Exeter City Council (Liberal Democrats)	Alphington Ward
Cllr	Ruth	Smith	Exeter City Council (Conservatives)	Pinhoe Ward
Cllr	Percy	Prowse	Exeter City Council (Conservatives)	Duryard Ward

APPENDIX D: REPRESENTATIONS & RESPONSES TO CONSULTATION ON THE DRAFT SPD, JAN-MARCH 2010

	Representation	Response	Respondent
1	Generally, the document is very clear.	Noted.	Sarah Griffin, Sovereign Housing
	However, it is not clear whether the Council will support bids to the Homes and Communities Agency (HCA) for grant funding. Grant funding is only mentioned when the document addresses viability. The SPD might need to be more specific about whether affordable housing should be provided in the first instance without grant or whether support bids to the HCA will be supported.	The Single Conversation will identify the priority schemes that the Council will support.	
2	The Regional Planning Board will only respond further if there are significant matters arising from the document relating to general conformity to the RSS.	Noted.	Peter Brown, South West Councils
3	No specific comments to make.	Noted.	Martyn Dunn, South West Water
4	There is no specific reference to ensuring recreational needs are met by a development. Open space of any kind is at a premium and especially space which provides genuine recreational value. Failing to cater for this in previous generations has contributed to social problems. The benefits of active outdoor recreation, particularly for deprived areas of the community, are well documented.	Noted. However, the Local Planning Authority's approach on these matters is set out clearly in the Leisure and Recreation section of the Exeter Local Plan First Review 1995-2011 and in the Public Open Space SPD. The purpose of this document is to amplify Policy H6 of the Local Plan, which specifically deals with affordable housing.	Paul Faulkner, Parks and Open Spaces, Exeter City Council
5	This is a good and useful guide to desirable practice.	Noted.	J S Rowe, Campaign to Protect Rural England (CPRE)
	Affordable housing policies should apply to developments on land capable of providing three or more dwellings instead of the current fifteen.	The purpose of an SPD is to amplify existing policy; it cannot be used to create new policies. Lower thresholds are a matter that will be addressed in the Council's Local Development Framework, specifically through the Core Strategy.	

<p>CPRE does not agree with a policy of accepting financial contributions in lieu of affordable dwellings on site. This could be a loophole for developers and such payments might be much less than the realistic cost of providing affordable housing. It is essential that any payments made are ring-fenced for their intended purpose.</p>	<p>Off site provision will only be acceptable where the Council is convinced that special circumstances exist. The mechanism used to calculate an appropriate financial contribution is set out in paragraph 44 and Appendix 4 of the SPD. Financial contributions are always used to provide affordable housing.</p>	
<p>The target for affordable housing should be increased to at least 35% - although in view of the shortages that have built up, 50% or even 100% would be more appropriate.</p>	<p>The 25% target is contained in the supporting text to Policy H6 in the Exeter Local Plan. Higher targets are a matter that will be addressed in the Council's Local Development Framework, specifically through the Core Strategy.</p>	
<p>The right-to-buy policies, adopted by recent governments, have produced a very undesirable reduction in the stock of Council houses and are in great part responsible for the current chronic shortage of affordable homes. The Government should be pressed to repeal this legislation. There should be a return to Council house building.</p>	<p>Noted. However, this is essentially a matter for the Government.</p>	
<p>CPRE is against using Section 106 agreements to achieve planning objectives. They are a source of delay and their negotiation often results in horse trading which achieves a dilution of the original intentions. It should be possible to draft planning permissions in a way which includes all the required conditions in a clear and conclusive form without the need for Section 106 agreements.</p>	<p>Owing to the complexity, and financial implications, of these matters, it is not possible to avoid Section 106 agreements by using conditions. However, in order to speed up the process, the Council does promote the use of model Section 106 agreements.</p>	
<p>CPRE is concerned by the mediocre standards of architectural design common in speculative housing developments in Exeter, which seems to be given planning permission far too regularly. The Government pays lip service to the value of design quality and its appreciation and control is sadly lacking locally. This applies equally to affordable housing, the cost of which could be made an excuse for even lower standards.</p>	<p>The purpose of this document is to amplify Policy H6 of the Local Plan, which specifically deals with affordable housing. The Council's design policies are contained in the Design Guidance section of the Exeter Local Plan. The Council is currently preparing a Residential Design SPD, which has been published for consultation. When adopted, this will assist the Council in achieving high standards of design on new developments. There is no evidence to support the notion that on new developments affordable houses are designed and built to lower standards than the open market houses that surrounds them.</p>	

6	It is pleasing to see that innovative design of affordable homes and their environment will be encouraged to help ensure that development is sustainable. The need for developments to meet the Code for Sustainable Homes levels, in line with the Homes and Communities Agency's requirements, is also supported.	Noted.	Cherry Herbert, Environment Agency
7	No specific comments to make on the document.	Noted.	Rachael Bust, The Coal Authority
8	The format of the draft SPD is unclear with no clear distinction between policy and supporting text. This is contrary to Regulation 13 of the Town and Country Planning (Local Development) (England) Regulations 2004.	Disagree. The SPD does not set policy, but amplifies existing policy (H6) in the Local Plan. It is, in effect, all supporting text to the Local Plan. The Policy itself is set out in Appendix 1 of the SPD, as clearly stated in paragraph 6.	Zoë Stiles, Pioneer Property Services Ltd on behalf of Urban Renaissance Villages
	The draft SPD refers to the Local Plan stating that 25% of dwellings on eligible sites should be affordable. It should be made clear that this reference is in supporting text and not part of the actual policy wording for Policy H6. The text also emphasises that the level of affordable housing is a matter for negotiation and that the 25% is not a rigid requirement. This should be reflected in the SPD.	Noted. Paragraph 21 of the SPD will be amended to clarify that 25% is a target that is subject to negotiation.	
	Paragraph 16 of the document appears to seek a proportion of affordable housing based on floor area as well as the number of dwellings. This approach is not set out in the wording of Policy H6 or the supporting text. There is no basis for this approach and therefore the draft SPD does not conform to the Local Plan and is contrary to Regulation 13(8) of the 2004 Regulations.	Disagree. The supporting text to Policy H6 says that "the Council will aim for 25% of the total dwelling provision". This statement can apply to both floorspace and the number of dwellings proposed. The approach is taken to help the Council negotiate a mix of affordable house sizes from a scheme.	

<p>Paragraph 19 refers to a tenure split of 85% social rented and 15% intermediate being 'required'. It suggests this is informed by the Housing Needs Assessment and the Housing Needs Survey. However, Policy H6 of the Local Plan does not require a specific tenure split and the Exeter and Torbay Housing Market Assessment 2007 indicates a 70:30 tenure split is required. It acknowledges that a large number of households currently residing in social rented accommodation can afford to pay more than Housing Corporation target rents and could be incentivised to move into intermediate housing. The Local Area Report for Exeter (December 2007), which forms part of the HMA, also suggested a 70:30 tenure split. The SPD should be revised so that there is a negotiated tenure split agreed in response to local needs and site conditions.</p>	<p>Disagree. The HMA Study itself acknowledges that it is not the final word on housing need. It says (p37) that "given that all projections indicate a very significant shortfall against the estimated requirement for affordable housing, it will be important to decide what forms of delivery should have most priority when framing policies." And "this may also mean a different distribution between social rented and intermediate housing from that indicated by the overall pattern of demand." This is reinforced in paragraph 9.18 of the Housing Strategy. Since the HMA was completed, the number of households in need of social-rented housing has undoubtedly increased. A 15%/85% tenure split under an affordable housing target of 25% gives the Council a far better opportunity to negotiate a scheme that will meet community needs and its own statutory obligations, as against a split of 30%/70% with a target of 35%.</p>	
<p>The proposed maximum equity rent of 1% is much lower than the maximum 2.75% referred to by the Homes and Communities Agency. This restriction will impact on the price affordable housing providers are able to pay and will result in an increase in the level of developer subsidy required per affordable dwelling. The viable number of affordable dwellings provided with the assistance of developer subsidy could ultimately be reduced. The equity rent should be a matter for negotiation.</p>	<p>Disagree. A 1% maximum equity rent ensures affordability. If viability is proven to be an issue, this can be taken into account in the negotiation process.</p>	
<p>Paragraph 23 refers to keeping service charges affordable. As the Council will be aware, matters concerning the calculation and apportionment of estate management costs are governed by the statutory provisions of the Landlord and Tenant Act 1954. Successful legal challenges have established it is unlawful for occupiers of market dwellings to subsidise the contributions required from occupiers of affordable housing units. Any attempt by the Council to limit service charges for affordable occupants (compared to their market housing occupant counterparts) will</p>	<p>Disagree. In recent years the Council has consistently achieved the approach set out in paragraph 23 (now 29). "Delivering AH", the accompanying guidance to PPS3, says that local authorities should consider the level of management and other charges occupiers will have to pay on a development.</p>	

<p>therefore fall foul of this Act. The wording of the draft SPD should be amended to reflect this issue.</p>		
<p>The SPD states all affordable housing will be subject to a Planning Obligation, which will set out mechanisms for the allocation of affordable housing. National guidance does not empower local authorities to prescribe nominations procedures; agreement must be reached with the provider. Further, there is no requirement in national guidance for non-grant funded intermediate homes for sale to be marketed by RSLs or through a 'HomeBuy Agent', although the local authority may seek to negotiate this with developers. A Housing Corporation (now the Homes and Communities Agency) Regulatory Circular 02/03 suggests the level of nominations to be provided to local authorities should equate to 50%, though this can be increased, where appropriate, through agreement with the RSL. The wording in the SPD should be amended to reflect that nominations procedures will be agreed with, and not imposed upon, Affordable Housing Providers (AHPs).</p>	<p>Disagree. Circular 02/03 is no longer in use. Essentially it is for the City Council, as strategic housing authority, to determine how best to unite those in need with the available accommodation. The Council has a statutory duty to provide accommodation for various types of need and ensure that people get 'reasonable preference' for it. The TSA Regulatory Framework for social housing in England (April 2010) states that "registered providers shall co-operate with local authorities' strategic housing function and their duties to meet identified local housing needs. This includes...through meeting obligations in nominations agreements. Where in <u>exceptional circumstances</u>, registered providers choose not to participate in choice-based lettings schemes...they shall publish their reasons for doing so." The Council's starting point is that affordable housing should be allocated through Homechoice.</p>	
<p>Paragraphs 28 and 29 seek to ensure that affordable housing remains available in perpetuity – or that the proceeds from the sale of such housing are used to provide additional affordable housing. This must be considered in light of the situation when public subsidy is used to provide dwellings for rent. Then, tenants enjoy the Right to Acquire by virtue of Section 16 of the Housing Act 1996 (just as every 'shared owner' on the grant funded model lease has the right to "staircase" to 100% ownership). Therefore it is not possible for either an RSL or other AHP to comply with this requirement. PPS3 does not require the provision of affordable housing in perpetuity; it should be made available in the long term to households in need of it. It does not require the entire sales receipt to be recycled, only the subsidy. The SPD should be amended to reflect these matters.</p>	<p>Disagree. The SPD accurately reflects Government guidance on these matters. The Planning Inspectorate's Good Practice Advice Note 16/2010 states that "(34) If a planning obligation includes a requirement to provide affordable housing...the Secretary of State or Inspector will need to be satisfied that it deals appropriately with the following matters:... (44) Does the planning obligation contain adequate controls to ensure that any affordable housing is retained in perpetuity? A. Yes, the requirement ceases if the property is bought under Right To Buy/Acquire or if a shared ownership tenant acquires 100%".</p>	

<p>The draft SPD quotes paragraph 48 of the Government's Delivering Affordable Housing document, which refers to 'choice of affordable housing provider' - the Council has 'identified a number of RSL partners'. Paragraph 49 of Delivering Affordable Housing states that local authorities need to provide robust justification for refusing an alternative provider. This should be acknowledged in the SPD text.</p>	<p>Disagree. Paragraphs 35-38 clearly explain the Council's approach. The Council's justification for refusing an alternative provider (i.e. an absence of appropriate long term arrangements to ensure specific standards of management, publicly available policies and procedures to ensure control over changes in ownership and occupation that favour specified eligible households, and controls to ensure that homes remain safe and reliable) are set out in these paragraphs.</p>	
<p>The draft SPD states that PPS3 identifies social rented housing as being that 'owned and managed by local authorities and RSLs'. The text should be amended as PPS3 also says social rented housing can be managed by other persons and provided under equivalent rental arrangements – as agreed with the local authority or with the Housing Corporation as a condition of grant.</p>	<p>Disagree. The definition of social rented housing given in Appendix 3 of the SPD fully reflects that in PPS3.</p>	
<p>Paragraph 36 seems to suggest the Council will seek 'additionality' when commuted sums and/or off-site affordable housing provision are to be provided. Such an approach would result in a developer making an off-site / commuted sum contribution that would provide a greater level of affordable housing than if the housing had been provided on site. This would be contrary to paragraph 29 of PPS3. If this is not the intended approach, the wording of the draft SPD needs to be revised to provide a more transparent description, and, in any event, reflect the requirements of PPS3.</p>	<p>Disagree. Policy H6's accompanying text makes clear that the 25% target will be calculated based on the 'total dwelling provision' (i.e. notwithstanding tenure). The approach set out in the SPD therefore equates to the correct application of the 25% target. However, it is agreed that the wording to Paragraph 42-43 should be amended to clarify the Council's approach, as follows:</p> <p>“42. In the case of off-site provision, the affordable housing requirement will be calculated by applying the 25% target to the total number of dwellings (e.g. an application for 20 dwellings generates an affordable housing requirement under Policy H6, because the 15 dwelling threshold is met. If the affordable units were to be provided on-site, the Council would seek to negotiate 5 (25% of 20) as affordable. However, in this case, the Council agrees that there are exceptional circumstances to justify off-site provision of the affordable units, on a site that can accommodate 10 new dwellings. The total number of dwellings across the two sites,</p>	

		<p>irrespective of tenure, is 30. This results in an affordable housing requirement of 8 dwellings (25% of 30).</p> <p>43. This approach maintains the ratio of open market to affordable homes that Policy H6 seeks to achieve, ensuring consistency in the development of mixed communities and in the balance of tenures of housing being developed in the City. The affordable housing requirements of a site cannot be met as part of the Council's affordable requirements of another site.”</p>	
	<p>Paragraph 38 seeks to introduce new policy on meeting Lifetime Homes Standards. The text should be amended to state that this is an aspiration.</p>	<p>Disagree. The existing text already reflects this.</p>	
	<p>Paragraphs 39-41 are confusing and need to be written in plainer English.</p>	<p>Agree. These paragraphs (and associated paragraph 25) will be re-worded as follows:</p> <p>“TENURE</p> <p>25. ...Further details are provided in paragraphs 45 to 47 below.</p> <p>DWELLING TYPES</p> <p>45. Affordable housing should contribute towards the creation of mixed communities. Where larger developments are proposed, a development brief for the area may be prepared which specifies the mix of affordable housing required in the light of factors including:</p> <ul style="list-style-type: none"> • the results of the most recent Strategic Housing Market Assessment; • current Housing Register data; • the site's location and access to facilities; and • the mix of housing in the surrounding area. <p>46. On any other site with an affordable housing requirement, the Council will negotiate a mix of affordable housing that is representative of all housing on the site. However, if the Council have</p>	

		<p>an identified need for larger properties, such properties should be provided by the applicant at the cost of smaller dwellings. The Council may also seek supported accommodation if there is an identified need. Accommodation schemes for older people should consist of dwellings with a minimum of two bedrooms, allowing enough space for carers and visiting family.</p> <p>47. In all cases during the negotiation process, the Council will be mindful of waiting times and turnover of occupancy in the existing affordable housing stock.”</p>	
	<p>Paragraph 41 suggests the Council may seek a mix of affordable housing that is pro-rata to the market housing mix on a site. However, the dynamics of market and affordable housing differ significantly. PPS3 states that authorities should set out the likely profile of households requiring market housing, and the size and type of affordable housing required, based on the HMA and other local evidence. The draft SPD wording should be amended to accord with PPS3.</p>	<p>Disagree. PPS3 states that local planning authorities should specify the size and type of affordable housing that, in their judgement, is likely to be needed, considering the findings of the SHMA and any other specific requirements. Paragraphs 45-47 of the SPD accord with this, setting out how the Council will determine the mix of affordable housing required on each site, bearing in mind the SHMA and other factors.</p>	
	<p>Paragraph 42 states that the Council will 'be mindful of waiting times' and dwelling 'turnover' when determining an appropriate mix. However, these are all factors which should be taken into account as part of a robust HMA assessment, which will measure current and future need as opposed to simply backlog requirements. Therefore, it is inappropriate for the Council to seek to impose a mix solely on the basis of waiting times and dwelling turnover.</p>	<p>Paragraph 47 (was 42) simply states that the Council will be mindful of turnover and waiting times, not that they will be the determining factor. The section on Dwelling Types makes it clear that in negotiating an affordable housing mix, a number of issues will be taken into account.</p>	
	<p>Paragraph 45 of the draft SPD misinterprets PPS3. There is no specific wording within national guidance identifying that affordable dwellings must be distributed in single dwellings across a scheme, or indeed at any other cluster size. Similarly, it is not specified that this is a prerequisite for delivering sustainable development. The Homes and Communities Agency do not find it unacceptable to deliver affordable housing in clusters of</p>	<p>Disagree. The policy approach set out in paragraph 50 (was 45) is entirely in accordance with PPS3's focus on delivering mixed communities, as it seeks to integrate tenures as far as possible, whilst making an allowance for management issues.</p>	

<p>up to 25 dwellings, and this flexible approach enables housing management issues to be taken into consideration whilst also ensuring the delivery of sustainable communities. The Council should apply a flexible approach with a view to reaching a negotiated agreement with developers.</p>		
<p>It is not clear why Policies DG3 and DG5 have been omitted from the policies listed within paragraph 46 of the draft SPD, as these have been extended by the Secretary of State and are as relevant to new development as the other policies.</p>	<p>Policy DG3 is omitted as it relates to the design of commercial development and is not relevant to affordable housing. However, Policy DG5, which relates to the provision of open space as part of proposals for family housing, is relevant. It will therefore be added to the list of policies in paragraph 51 (was 46).</p>	
<p>Paragraph 47 seems to confirm that Homes and Communities Design Quality Standards apply to affordable dwellings where these are to be provided with the assistance of grant funding. However, paragraph 48 then confuses this conclusion and seems to suggest affordable dwellings must meet Code for Sustainable Homes level 3 and Lifetime Homes Standards 'in accordance with the current requirements set out by the HCA'. Grant funded affordable dwellings are not required to achieve Lifetime Homes Standards by the Homes and Communities Agency. The Design and Qualities Standards (April 2007) 'encourages' affordable housing providers to achieve the four Lifetime Homes Standards related points available in the Code for Sustainable Homes. Further, national guidance does not empower local authorities to seek standards in excess of Building Regulations where dwellings are to be provided without the input of grant funding, particularly where this requirement is not entrenched within statutory local policy. The draft SPD text should be amended to state such matters will be the subject of negotiation (in respect of affordable dwellings being provided without grant funding) and to accord with national guidance and the settled local policy position.</p>	<p>Noted. The Section on Design (now paragraphs 51 to 53) will be simplified to clarify the Council's policy, as follows:</p> <p>"51. The <i>Local Plan</i> Policies DG1, DG2, DG4, DG5, DG6 and DG7 set out guidance on the design of new development. Policies C1, C2 and C3 are relevant when considering development affecting buildings of architectural or historic value or conservation areas. The Council is to introduce a <i>Residential Design Guide</i> to supplement those <i>Local Plan</i> policies. The <i>Residential Design Guide</i> covers issues such as space standards and Lifetime Homes Standards.</p> <p>52. Within the broader constraints of these policies, affordable housing should conform to the design standards normally required by funding bodies such as the HCA for affordable housing in order to qualify for grant. Such standards may be higher than those applicable to market housing, reflecting the needs of the occupants and the implications of the difference in tenure. The Council supports the principle of tenure blindness and, as far as reasonably practicable it should not be possible to ascertain the tenure of affordable homes from</p>	

		<p>location or appearance.</p> <p>53. Innovative design of affordable homes and their environment will be encouraged, within the context of overall planning policies, to make them:</p> <ul style="list-style-type: none"> • sustainable, for example through enhanced energy efficiency measures such as solar power and use of recycled water and sustainable materials; • maintainable, durable and adaptable, and • quiet and enjoyable to residents.“ 	
	<p>Paragraph 50 of the draft SPD states developers will be requested to provide 'open book' information where they wish to make a case in respect of the viability of affordable housing provision. It is inappropriate for the Council to require developers to provide sensitive commercial information (as confirmed within the South Hams Core Strategy Inspector's report) and it is not identified as a requirement in national guidance. This places the onus upon the Local Authority to ensure their affordable housing targets and thresholds are informed by a viability assessment and reflect the economic viability of land in the area, and the level of developer contribution that can reasonably be expected (paragraph 29, PPS3). The draft SPD text should be amended to clarify that the Council will not insist that open book information is provided by developers. This is a matter for agreement and negotiation between the developer and the Council.</p>	<p>Disagree. The Council has undertaken a recent Viability Assessment which demonstrates that an affordable housing target of 35% (rather than 25%) is, in fact, viable for Exeter. The South Hams Inspector identified viability as being of paramount importance, with the onus upon the applicant to demonstrate the circumstances justifying a 'below target' affordable housing provision on an individual site. He stated that the developer should submit "detailed information" to the local authority, so that an informed assessment of site viability can be undertaken. Paragraph 55 (was 50) is clear that any information will be treated in confidence, but it is accepted that the term 'open book' should be deleted.</p>	
	<p>Appendix A refers to a Viability Assessment having been published by the Council. However, it has not been published within the Local Development Framework evidence base section and its status and role is unclear. The draft SPD does not refer to this assessment within the 'Amount' sub-section, and therefore it is not apparent that the Council have referred to it to assess the viability of the 25% level of affordable housing provision. The draft SPD should be amended to clarify this position.</p>	<p>Noted. The Council's Viability Assessment has been prepared as part of the emerging Core Strategy's evidence base and supports the introduction of a 35% affordable housing target. As the Assessment does not directly relate to the SPD (albeit that it indirectly demonstrates that a 25% target is viable), reference to it in the SPD be deleted.</p>	

	<p>Paragraph 52 of the draft SPD refers to another document entitled 'Implementing Affordable Housing Requirements'. This is confirmed by the draft SPD not to be a SPD, or part of the draft SPD itself, given that it is described as containing matters that are 'inappropriate to an SPD'. On this basis the Council should be aware that it would be inappropriate to seek to use this additional document to introduce policy or restrictive practices / inflexible requirements; its status is such that it will be of no material weight.</p>	<p>Noted. 'Implementing Affordable Housing' was consulted upon at the same time as the SPD. To avoid confusion and a proliferation of planning documents, its contents have been incorporated into the SPD.</p>	
	<p>Paragraph 55 refers to the draft Regional Spatial Strategy for the South West, and states that this, when adopted, will be able to provide the basis for increasing the percentage of affordable housing. This draft SPD text should be amended to reflect that the draft RSS provides a broad regional framework within the context of which local affordable housing policies should be developed, albeit that local affordable housing thresholds and proportions should be informed by a local HMA and viability assessment. Should local authorities wish to introduce new affordable housing percentage targets this must be done through the correct Local Development Framework processes.</p>	<p>Following the Coalition Government's recent announcement that the Regional Spatial Strategies are to be rescinded, paragraph 55 will be deleted.</p>	
9	<p>Paragraph 17 - Whilst acknowledging 25% provision may not have prevented many developments coming forward in the last 10 years, would it not be more pertinent to consider whether it would have prevented development coming forward in the last two years?</p>	<p>No. The affordable housing target of 25% is applied to planning applications throughout the lifetime of the Local Plan, during which the economic climate can vary. The Council recently completed an Affordable Housing Strategic Viability Assessment which concludes that <u>35%</u> affordable housing has generally been viable in Exeter (with grant) during the recent recession.</p>	<p>Matthew Shellum, The Planning Bureau on behalf of McCarthy and Stone</p>
	<p>Paragraph 19 – The HCA, which provides the funding for Housing Associations, will only fund schemes that provide a 75:25 per cent tenure mix. The 85:15 split may therefore provide difficulties in obtaining funding.</p>	<p>Disagree. The Homes and Communities Agency requirements on mix are flexible.</p>	

	<p>Paragraph 23 – McCarthy and Stone provides sheltered accommodation for older people, which has a high amount of communal facilities to make the development work. The communal facilities and services are covered by the service charge and will be higher than for more standard forms of flatted development. This level of service charge will need to be consistent throughout the development and is likely to preclude the inclusion of affordable housing within sheltered housing developments. Depending on the size of site and its constraints it may be possible to provide provision in a separate block. On smaller sites, provision will need to be made by off-site commuted sum.</p>	<p>Disagree. The Council has successfully negotiated on-site provision of affordable housing on sheltered housing schemes. The Council's priority in the negotiation process will be for on-site provision, unless exceptional circumstances warrant an alternative approach.</p>	
	<p>Paragraph 50 - Objection is made to 'open book' appraisals. This is tantamount to a personal consent and is contrary to the principle that planning permission runs with the land and not the applicant. 'Open book' appraisals are not in the Council's favour as it would have to include what the developer has or is paying for the land, which may be significantly more than what the existing use value of the land is worth. It is suggested that a generic appraisal based on the proposal and the nature of the site and any associated development costs is used rather than a viability appraisal which is a personal or open book appraisal bespoke to the applicant. If the developer is expected to pay for independent scrutiny then the cost should be included within the development viability appraisal and the applicant should get some input into whom carries out the scrutiny to ensure that it is truly independent. For example a district valuer would not be independent.</p>	<p>Disagree. The Inspector examining the recently adopted South Hams Affordable Housing SPD identified viability as being of paramount importance, with the onus upon the applicant to demonstrate the circumstances justifying a 'below target' affordable housing provision on an individual site. He stated that the developer should submit "detailed information" to the local authority, so that an informed assessment of site viability can be undertaken. Paragraph 55 (was 50) is clear that any information will be treated in confidence, but it is accepted that the term 'open book' should be deleted. If desired by the developer, the appraisal can be undertaken by an independent third party and its own cost.</p>	
10	<p>Paragraph 11 - Clarification that PPS3 provides the definition of affordable housing is welcomed.</p>	<p>Noted.</p>	Tim Baker
	<p>Paragraph 15 - The decision to confirm the stated percentage of affordable housing at 25% on eligible sites is welcomed.</p>	<p>Noted.</p>	

	Paragraph 16 - The statement that affordable housing must relate to gross internal floorspace is unwelcome. Affordable housing need is based on units not ft ² so it follows that affordable houses should be 25% of the total number of units being provided. The mix should be agreed with the local planning authority on a case by case basis to reflect local housing need.	Disagree. The supporting text to Policy H6 says that “the Council will aim for 25% of the total dwelling provision”. This statement can apply to both floorspace and the number of dwellings proposed. The approach is taken to help the Council negotiate a mix of affordable house sizes from a scheme.	
	Paragraph 18 is noted and supported.	Noted.	
	Paragraph 19 – To define a tenure split of 85/15% constrains unnecessarily both the local planning authority and the developer. This should be agreed on a case-by-case basis.	Noted. 85%/15% is a starting point for negotiation. The SPD will be amended to clarify this point.	
	Paragraph 28 - It is good to see the draft refer to ‘or for specified periods’ as one way of providing affordable homes is for the developer to become the RSL’s landlord on a long lease (say 25 years) and the RSL to procure tenants and manage for a fee.	Noted.	
	Paragraphs 30 and 32 - The Council’s willingness to consider non-RSL partners is welcomed.	Noted.	
	Paragraph 45 - A cluster of 10 is not of sufficient size to justify localised heating systems. It seems 20 is the minimum viable cluster. The text should be re-worded – especially if the Design aspirations in paragraph 48 are to be achieved.	Disagree. Whether affordable homes are clustered or not within a larger residential development should have little or no bearing on the viability of a localised heating system.	
11	Paragraph 13 - A number of the suggested policies in the SPD do not tie-up with HCA guidance, and if they are in contravention of the HCA’s Capital Funding Guide, by which RSL’s are monitored and audited, then there is a conflict. It might be better to re-word the policy to enable RSL’s to comply with the requirements of the HCA and The Tenant Services Authority.	Disagree. The Council considers that there is no conflict between the SPD and the HCA’s guidance.	Bob Fish, Aster Group Ltd.
	Paragraph 19 – The tenure split percentages may be at odds with current HCA guidelines, which suggest percentages should be 75/25%.	Disagree. The Homes and Communities Agency requirements on mix are flexible.	

<p>Paragraph 21 - Current HCA guidelines suggest up to 2.75% rent – an artificial reduction in the percentage could cause conflict with HCA Capital Funding Guide, and may actually increase the amount of grant necessary in a scheme, reducing the chance of getting HCA grant and potentially reducing the amount of affordable housing in the city. A solution may be to say the percentage ‘must not exceed current HCA guidelines.’</p>	<p>Disagree. 1% rent helps to ensure affordability. If this creates a viability issue for the applicant, it can be taken into account in the negotiation process.</p>	
<p>Paragraph 25 - Does this allow any room for ‘local lettings policies’, whether it be to ensure only over 55’s can apply for a sheltered scheme, or if the City wanted to encourage a programme such as downsizing from larger family homes, or to ensure a sustainable mix in a flatted development?</p>	<p>Yes. The Devon Home Choice choice-based letting system is generally the Council’s preferred approach. However, a local lettings policy for a particular site may be accepted by the Council, if justified.</p>	
<p>Paragraph 27 – The approach is supported but an indication of what a ‘fair share’ is may be advisable. Any need to ensure vacancies are advertised correctly can be made a part of any Section 106 agreement.</p>	<p>Disagree. Information on costs can be obtained by contacting the Housing Enabling Manager (contact details are provided in the SPD).</p>	
<p>Paragraph 29 – This is clearly a move from “grant funding” to “equity sharing” if the money needs to be paid back to the Council. Grant money should be treated as recycled capital grant, and used to provide affordable housing in the district. However if an RSL has the receipt, it should be left in the control of the RSL to utilise, unless the Council wishes to take on the risk of development as well (including falling property prices and the potential need to put more money into a scheme). If it will not, why should an RSL developer take on additional risk, only for any grant to be given, potentially, to another RSL to develop with later on?</p>	<p>Disagree. Grant provided by the Council for the development of affordable housing is <u>public</u> money. Therefore, upon the acquisition or further equity share of the affordable housing by occupants, it is entirely appropriate that it should be returned to the Council. The money will be recycled to help develop more affordable housing.</p>	
<p>Paragraph 35-37 - is Exeter’s default position off site provision or commuted sum if a developer wishes to provide one of these? If off-site provision is suggested, it is not clear if the Developer will be responsible for providing a suitable site for its provision or not.</p>	<p>There is no ‘default’ position. In the exceptional circumstance that off-site provision or payment of a commuted sum is accepted by the Council, this will be determined on a case-by-case basis. Off-site provision will only be accepted if there is a suitable and available site. The SPD will be amended to clarify this position.</p>	