

## WDC Matter 12: Housing Policies

### Note on revisions to policies

12<sup>th</sup> December 2016

#### Background

- 1 At the Local Plan Examination hearings on 8th December issues relating to Housing policies (H0 to H14) were discussed.
- 2 This note sets out proposed modifications to a number of the housing policies to address the concerns that were raised during those hearings.

#### Proposed Policy Amendments

Policy Reference	Proposed Amendment (incorporating amendments proposed in January 2015 (LP21))	Reason for Amendment
Policy H0 (explanation)	Amend paragraph 4.1 to read: <i>"Housing is a basic human requirement and its quality, availability and affordability are crucial for a good quality of life. Maintaining a supply of decent homes that can meet the needs <del>the District as well as unmet need arising from outside the District,</del> in a good quality environment is fundamental to maintaining strong, healthy communities and a sustainable and growing economy"</i>	Criterion (a) had already been proposed for amendment in LP21 to read "Provide in full for the District's Housing requirement". This further amendment ensures the explanatory text reflects this .
Policy H1	Further note to be provided separately	Additional clause to set criteria for small scale development in the open countryside but adjacent to growth villages and urban areas
Policy H1	Amend Kingswood Village Boundary (policies Map Extract 29) as shown on the map attached as <b>appendix 1</b>	To address concerns raised in rep 68883
Policy H1 (Explanation)	Add sentence at the start of penultimate paragraph of explanatory text for Policy H1 (paragraph 4.9 of the Publication Draft) to read:  <i>"Open Countryside is defined as those areas lying outside built up areas (see paragraph 4.1 above) and Limited Infill Villages (see paragraph 4.2 above). New housing development in the open countryside will only be permitted..."</i>	Define "Open Countryside" in the explanatory text

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Policy H2	<p>Amend Policy to read:</p> <p><u>Residential development on sites of 11 or more dwellings or where the combined gross floorspace is more than 1,000 sq.m., will not be permitted unless provision is made for a minimum of 40% affordable housing to meet local needs.</u></p> <p>The form of provision, its location on the site and the means of delivery of the affordable element of the proposal will be subject to negotiation at the time of a planning application. The viability of the development will be a consideration in such negotiations. Planning permission will not be granted until satisfactory arrangements have been made to secure affordable housing as determined by the following principles: -</p> <ol style="list-style-type: none"> <li>I. the affordable housing will be provided on site as either serviced land or dwellings, or a combination of the two;</li> <li>II. the sizes, types and tenures of homes provided will be determined on the basis of local need as identified in the latest Strategic Housing Market Assessment and, where appropriate, by other local needs surveys and information;</li> <li>III. the accommodation provided will be genuinely available to those households who have been identified as being in housing need;</li> <li>IV. the affordable housing will be well integrated into the overall scheme along with the market housing with consistent qualities of materials, design and open spaces;</li> <li>V. the affordable housing will <u>meet the definition of affordable housing set out in Annex 2 of the National Planning Policy Framework (NPPF) in terms of tenure, eligibility and provider. If the NPPF is replaced by later national guidance while this policy H2 remains in force then, at the time of consideration of a planning application, the definition of affordable housing shall be taken to be as defined by such later national guidance;</u></li> <li>VI. the affordable housing will be built within an agreed timescale; and</li> <li>VII. the affordable housing will be available as such in perpetuity, where practicable, and only to those with a demonstrable housing need.</li> </ol> <p>The Council will, in exceptional circumstances, accept contributions of equivalent value in lieu of on-site delivery. This should include financial contributions, land or off-site provision of affordable homes. In such cases, the developer will be required to demonstrate why on-site delivery is not practical.</p>	<p>These amendments ensure that there is clarity that the 40% requirement for affordable housing is an requirement but is not a minimum.</p> <p>Further, the policy needs to be amended to accurately the ministerial statement o thresholds and to reflect the NPPF in terms of affordable housing providers.</p> <p>Finally the policy is amended to clearly reflect national policy with regarding to the definition of affordable housing in terms of tenure, eligibility and provider</p>	<div data-bbox="1177 237 1549 353"> <p>Dave Barber 11/12/16 11:22</p> <p><b>Deleted:</b> Residential development on the following sites will not be permitted unless provision is made for a minimum of 40% affordable housing to meet local needs</p> </div> <div data-bbox="1177 376 1549 492"> <p>Dave Barber 11/12/16 11:20</p> <p><b>Deleted:</b> &lt;#&gt;within the urban areas, sites of 10 or more dwellings, or 0.3 hectares or more in area irrespective of the number of dwellings; and -</p> <p>... (1)</p> </div> <div data-bbox="1177 1272 1549 1406"> <p>Dave Barber 13/12/16 07:27</p> <p><b>Deleted:</b> normally be provided through the involvement of a Registered Provider (of social housing) who is either a Preferred Partner of the Council or who has otherwise been approved in writing by the Council</p> </div>
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Policy H3	<p>Amend policy as follows:</p> <p><i>The development of affordable housing to meet the local needs of a village or parish may be permitted in locations which would not normally be released for housing, provided that:</i></p> <p><i>a) the proposal will meet a particular local housing need, as identified in detailed and up to date evidence from a parish or village housing needs assessment, and it can be demonstrated that the need cannot be met in any other way;</i></p> <p><i>b) the proposed development will be small in scale, of appropriate design and located within, or adjoining, an existing settlement; and</i></p> <p><i>c) the following principles are established:</i></p> <p><i>I. all of the housing provided will, where possible, be for exclusive occupation by people with a demonstrable need to be housed in the locality;</i></p> <p><i>II. the type of accommodation, in terms of size, type and tenure, to be provided will reflect the needs identified in the housing needs assessment; and</i></p> <p><i>III. such housing will be available, both initially and for subsequent occupancy, only to those with a demonstrable need and, first and foremost, to those with a need to be housed in the locality.</i></p> <p><i>In locations outside of the Green Belt, the Council will consider the cross-subsidisation of the affordable homes with some market homes provided that:</i></p> <p><i>a) the number of market homes is the minimum necessary to deliver the affordable housing;</i></p> <p><i>b) the size and type of the market homes meet a local need as evidenced in a parish or village housing needs assessment; and</i></p> <p><i>c) a development appraisal is provided to the Council as supporting evidence.</i></p>	<p>Remove requirement for outline planning applications as this is not necessary r justified. Remove requirement for specific threshold of 40% market housing from the policy itself but provide guidance on what is meant by “small scale” in explanatory text</p>
Policy H3 (Explanation)	<p>Amend explanatory text as follows:</p> <p>Amend paragraph explanatory paragraph 4.38 (as per the numbering in Publication Draft):</p> <p><i>“A key purpose of the rural exception policy is to provide affordable housing in rural areas specifically to meet a need which is identified at a particular point in time. Clearly these needs, and opportunities to meet them, will change over time. For this reason the Council will encourage developments to be brought forward quickly to meet the identified need.”</i></p>	

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**Deleted:** Outline planning applications will not be encouraged for such proposals. Detailed permission will be valid for two years from the date of the decision and will expire if development has not commenced within this period.

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**Deleted:** and, in all cases, is no more than 40% of the total number of homes;

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**Deleted:** where proposals are approved under this policy, the Council will grant permission for two years only. If development has not commenced within the two year period, the approval will lapse and a fresh application will be required if the applicant wishes to develop the site.

	<p>Add additional explanatory paragraph, following original paragraph 4.40:</p> <p><i>“The Council recognises that each site is different, so that some flexibility is required over the percentage of market housing that will be appropriate. Nevertheless it is clear from national policy that where affordable housing on a rural exception site requires market housing to facilitate it, the number of market homes should be the minimum necessary and the majority of housing on the site will always be affordable.”</i></p>	
Policy H4	<p>Amend first paragraph of the Policy to read:  <i>“The Council will require proposals for residential development to include a mix of market housing which contributes towards a balance of house types and sizes across the District, <u>including the housing needs of different age groups</u>, in accordance with the latest Strategic Housing Market Assessment.”</i></p> <p>Delete the final paragraph/clause of the Policy:</p>	<p>The requirement for 10% of homes being age friendly and/or adaptable is not sufficiently well justified. The Policy therefore needs to be amended to reflect importance of meeting all needs.</p>
Policy H5	<p>Amend Policy to read:  <i>“Planning permission for specialist housing for older people will be granted where:</i>  a) <i>the site is in close proximity to shops, amenities and public transport. <u>This will not normally be within the open countryside or within the boundaries of Limited Infill Villages (as set out in Policy H1)</u>; and</i>  b) <i>it can be demonstrated that satisfactory Primary Health Care services to serve the residents of the development will be available within reasonable proximity; and</i>  c) <i>the development makes a positive contribution towards meeting the identified need for specialist housing for older people as identified in the latest Strategic Housing Market Assessment and as agreed by Warwickshire County Council (as the provider of Adult Social Care).”</i></p>	<p>Clarify policy to relate back to the definition of urban areas and growth villages in Policy H1 and clearly explain the Limited Infill Village are generally not appropriate for this kind of development</p>
Policy H7	See separate note attached as <b>Appendix 2</b>	<p>Reconsider revised version of the policy proposed in January 2016 (the changes that were not consulted on) in relation to provision of G&amp;T pitches on strategic sites</p>
Policy H8	Amend Policy as follows:	Amend max. size of sites to 15 pitches to align with

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**Deleted:** In the strategic sites, listed in Policy DS15, developers will be required to provide at least 10% of homes as age friendly and/or adaptable homes, the details of which should be included in the submitted proposals.

	<p><i>"H8 New Gypsy and Traveller Sites</i>  <i>Applications for new Gypsy and Traveller sites will be approved provided that:</i></p> <ul style="list-style-type: none"> <li>a) <i>the site is within reasonable distance of schools, GP surgeries, dentists, hospitals, shops and community facilities;</i></li> <li>b) <i>the site has good access to the major road network;</i></li> <li>c) <i>the site is of a suitable size to accommodate <u>up to 15 pitches;</u></i></li> <li>d) <i>it can be demonstrated that infrastructure requirements can be adequately met; and</i></li> <li>e) <i>there is potential for the site to be adequately screened"</i></li> </ul>	Council's latest approach to site allocations	<div>Dave Barber 13/12/16 07:24 <b>Deleted:</b> between 5 and 10</div> <div>Dave Barber 13/12/16 07:24 <b>Deleted:</b> for permanent sites or 12 pitches for temporary sites</div>
Policy H10	<p>Amend policy as follows:  <i>"Housing development on sites allocated in the Growth Villages as set out in Policy DS11 will be permitted where</i>  <i>the housing mix of schemes reflects any up to date evidence of local housing need through a parish or village Housing Needs Assessment, including those of neighbouring parishes. Beyond meeting this need, or in the absence of a local Housing Needs Assessment, the scheme reflects the needs of the District as set out in the latest Strategic Housing Market Assessment,</i>  a) <i>"</i></p>	<p>Delete criterion (a) to reflect that this cannot be required, but include this in explanatory text to ensure this is encouraged.</p> <p>The Council had already proposed deletion of criterion (c) in LP21.</p>	<div>Dave Barber 11/12/16 12:32 <b>Deleted:</b> the proposals are in accordance with the following criteria:</div> <div>Dave Barber 11/12/16 12:31 <b>Deleted:</b> &lt;#&gt;the design, layout and scale of development is established through a consultative approach to design and development involving District and Parish Councils, local residents, other stakeholders and where appropriate Neighbourhood Plan Teams</div>
Policy H10 (Explanation)	<p>Add a new paragraph after 4.76 of the Publication Draft to read:  <i>"The design, layout and scale of development in growth villages are important factors for the local community. Therefore development proposed on the allocated sites within growth villages, or other development that is likely to have a significant impact on the village should be brought forward through a collaborative approach involving the District and Parish Councils, Neighbourhood Plan Teams (where these have been established) and, where possible, local residents and other stakeholders."</i></p>	See above	<div>Dave Barber 11/12/16 12:32 <b>Deleted:</b> ;</div> <div>Dave Barber 11/12/16 12:31 <b>Deleted:</b> and</div> <div>Dave Barber 11/12/16 12:31 <b>Deleted:</b> on sites allocated for 50 or more dwellings, the proposals include a phasing strategy whereby the homes are delivered across the plan period in phases of no more than 50 dwellings at a time over a period of 5 years, starting from the date the development commences on site.</div>
Policy H12 (Explanation)	<p>Amend para 4.83 to read:  <i>Dwellings proposed under this policy will be expected to be of a size commensurate with the function of the enterprise. It is the requirement of the enterprise rather than the owner that is relevant to determining whether the size of a proposed dwelling is appropriate.</i></p>	Given the Policy includes criterion (d) there is insufficient justification for the maximum dwellings size set out in para 4.83 of the Publication Draft	<div>Dave Barber 11/12/16 12:15 <b>Deleted:</b> The gross maximum permitted size for such a dwelling, including garaging, will normally be 140 sq. m (1,500 sq. ft) in area.</div>
Policy H13	Amend Policy to as follows:	Given that para 89 of the NPPF allows replacement of buildings in the same use as	<div>Dave Barber 11/12/16 12:26 <b>Deleted:</b> Proposals to replace existing dwellings in the open countryside will not be permitted unless the existing dwelling is: -</div>

	<p><i>Any replacement dwelling must not be materially larger than the existing dwelling and have no greater impact on the character and openness of the rural area. The Council will consider whether it is necessary to remove permitted development rights by condition when determining these applications.</i></p>	<p>long as it is not materially larger than the one it replaces, the clause (a) and (b) of this policy are not consistent with national policy</p>
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