



Ms Woof
The Programme Officer
Shropshire Council
Shirehall
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Date: 11 February 2015

Our Ref: EB/CB M8/0814-11

Your Ref:

By email only: programme.officer@shropshire.gov.uk
and planning.policy@shropshire.gov.uk

Dear Ms Woof

RE: INVITATION FOR FURTHER COMMENTS ON THE EXAMINATION OF THE SITE ALLOCATION & MANAGEMENT OF DEVELOPMENT (SAMDEV) PLAN – AFFORDABLE HOUSING

We represent the **West Midlands HARP Planning Consortium** which includes all the leading Housing Association Registered Providers (HARPs) across the West Midlands. Our clients' principal concerns are to optimise the provision of social/affordable housing and to ensure the evolution and preparation of consistent policies throughout the region.

We are concerned over the Council's policy stance following the changes to National Planning Policy Guidance with regard to Section 106 Planning Obligations. Agenda Item No 8 from the Summary of Decisions taken by the Cabinet on Wednesday, 21 January 2015, decision (c) was:

"That the Council continues to give full weight to Policy CS11 of the adopted Core Strategy and Type and Affordability of Housing SPD and continues to seek on site provision of affordable housing and/or developer contributions to the provision of affordable housing in relation to all sites."

Though we understand that the Council's decision is based on promoting affordable housing (which is an option we usually fully support), we draw the Councils attention to a recent appeal decision from 38 to 44 Buckles Way, Banstead APP/L3625/W/14/3000049. The appeal is attached but the main discussion point is presented below:

"14. The appellant's Unilateral Undertaking would secure the payment of £61,647.00 towards the provision of affordable housing within the Council's area. This undertaking has been submitted further to the requirements of Policy CS15 of the Reigate and Banstead Core Strategy (The Core Strategy), which was adopted in July 2014. However, notwithstanding the Core Strategy's recent adoption, Policy CS15 is now not wholly consistent with national policy, as expounded in the PPG.

15. The Government's decision to introduce an affordable housing contribution threshold at 11 dwellings or more has the purpose of bringing forward smaller scale residential developments, by reducing a financial burden upon them. I recognise that the Council has a need to increase the supply of affordable housing within its area, nevertheless I am of the view that greater weight should be attached to the recently introduced national policy rather than Policy CS15.

16. I do not doubt that the appellant's undertaking would make a useful contribution to affordable housing provision within the Council's area. However, in this instance, given the content of the PPG, I find there is no longer a policy imperative for an affordable housing contribution to be made. In any event the making of this contribution would not address the harm that I have identified under my first main issue and I therefore conclude that the appellant's undertaking only weighs to a limited degree in favour of the appeal development."

(Our emphasis). Two further appeals demonstrating the same principle have been enclosed with this letter.

We recognise that the Council needs to encourage the supply of affordable housing but the above decision has made it quite clear that an adopted Core Strategy, with an affordable housing policy, is not sufficient and that the PPG will supersede it. We would also direct the Council to the Planning Advisory Service (PAS) recent release on the PPG changes – http://www.pas.gov.uk/web/pas1/s106/-/journal_content/56/332612/6783401/ARTICLE.

The Council's response to the Inspector highlights the complicated situation the Authority has found itself in. Our opinion is that the SAMDev is too far advanced for further suitable sites, over the ten unit threshold, to be found and incorporated into the Plan. We believe that the Council have identified the best option in committing to "reviewing the Local Plan following the adoption of the SAMDev Plan", however we would also urge the Council to undertake a review of the SAMDev simultaneously so new sites can be identified alongside the Plan Review with no delay.

At the outset, we would draw the Council's attention to the fact that a housing target is a minimum not a maximum, as established in numerous planning appeals. As such where suitable sites may come forward outside allocations, these should be encouraged where they meet the principles of sustainable development from the NPPF and the Local Plan. Additional impetus is added to this opportunity now, given the potential of large windfall sites to deliver affordable housing.

When reviewing the Local Plan, we would highlight Paragraph 29 of the PPG (ID: 2a-029-20140306), which encourages consideration of an increase in the total housing figure if it could help deliver the required numbers of affordable homes. Combining an increase in the housing target with the allocation of large housing sites ensures that affordable housing delivery is maximised.

Finally we would draw attention to a comment in the Response to the Inspector which states that:

"There is some risk that landowners/developers will tend to bring forward sites just under the thresholds indicated in the changes in order to avoid affordable housing contributions, resulting in some reduction in the number of houses provided or less efficient layouts."

With this in mind there may be some scope to pursue a policy which manages the density of development. A policy should be inserted, via a modification to the SAMDev, which states the expected dwellings per hectare, drawing distinctions between urban and rural areas. The policy should also make clear that the development will be expected to develop a site to its full potential, drawing on paragraph 47 of the NPPF. This will ensure the Council have a policy basis upon which to refuse applications which purposely seek to deliver housing below the affordable threshold through inefficient land use or design.

Yours sincerely



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ASSISTANT PLANNER

For and On Behalf Of

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Cc: Accord Housing Association
Aspire Group
Bromford Housing group
Midland Heart Limited
WM Housing Group

Nick Wood - Housing Department

Encs: Appeal Decisions x3:
38 to 44 Buckles Way; The Trader; 2 Cavern Road