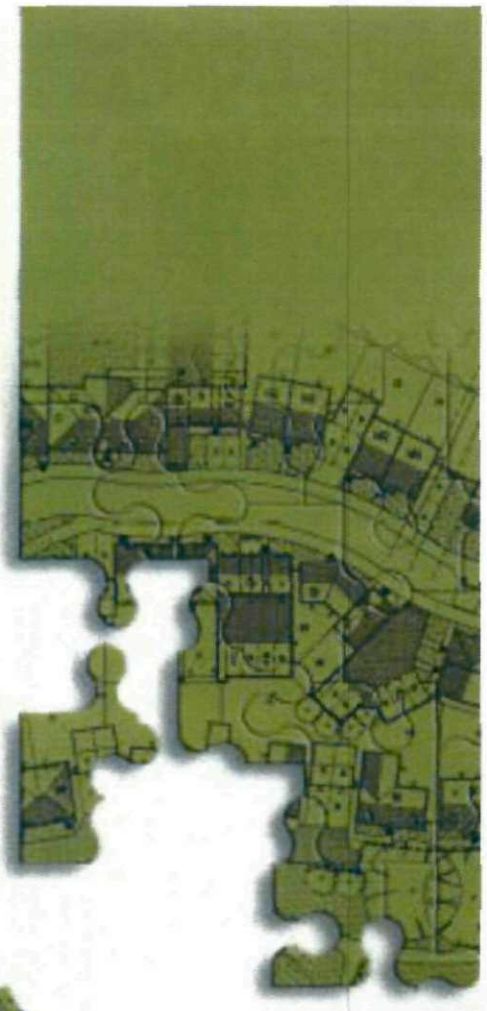


Residential Development at Longcar Junior School, Longcar Lane, Barnsley

Planning Statement: Affordable Housing Proposals

On Behalf of Strata Homes Ltd

February 2008

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1.0 INTRODUCTION

1.1 This statement is submitted in support of the planning application for land at Longcar Junior School, Longcar Lane, Barnsley. The application is for change of use and construction of 66 residential dwellings ranging from one to five bedrooms in size, together with access roads, managed open space and structural landscaping.

1.2 Section two of the statement identifies the local policy framework both adopted and emerging and examines how this seeks to secure provision of affordable housing in Barnsley. This Section also considers the current national guidance on affordable housing and how this applies to the proposed development.

1.3 Section three considers the scope and detail of the local affordable housing evidence base and identifies the amount, type and tenure of affordable housing provision that is both justified and appropriate.

1.4 Section four outlines the appropriate mechanisms for delivery of the affordable housing provision in respect of the application and section five draws conclusions.

2.0 POLICY CONTEXT

National and Regional Policy and Guidance

2.1 Planning Policy Statement 3 "Housing" ("PPS3") was published on 29th November 2006 and cancelled the provisions of both PPG3 and Circular 6/98. In respect of affordable housing provision it requires Planning Authorities, based upon the findings of a Strategic Housing Market Assessment, to set an overall target for the amount of affordable housing to be provided and that such targets should:

> *"....reflect an assessment of the likely economic viability of land for housing within the area, taking account of risks to delivery and drawing on informed assessments of the likely levels of finance available for affordable housing, including public subsidy and the level of developer contribution that can reasonably be secured."*
> (paragraph 29, PPS3)

2.2 Furthermore, there should be separate targets for social-rented and intermediate affordable housing and policies should set out the range of circumstances in which affordable housing will be required although PPS3 does caution that:

> *"Local Planning Authorities will need to undertake an informed assessment of the economic viability of any thresholds and proportions of affordable housing proposed, including their likely impact upon overall levels of housing delivery and creating mixed communities."*
> (paragraph 29, PPS3)

2.3 Planning Policy Statement 3 ("PPS3") advises that in setting overall targets within local development documents for the provision of affordable housing local planning authorities:

> *"should aim to ensure that provision of affordable housing meets the needs of both current and future occupiers, taking into account information from the Strategic Housing Market Assessment."*
>
> Paragraph 29 PPS3

2.4 Whilst PPS3 allows for Authorities to set out requirements for affordable housing within local policy frameworks it clearly identifies at paragraph 11 that;

> *"Local Development Documents...policies should be informed by a robust, shared evidence base, in particular, of housing need and demand, through a Strategic Housing Market Assessment."*
>
> Paragraph 11 PPS3 - (my emphasis)

2.5 In this respect the tenet of Circular 6/98 that affordable housing provision via plan policy must be based on robust need evidence remains a fundamental requirement of National Guidance now set out within PPS3.

2.6 The emerging Regional Spatial Strategy (RSS) is the 'Yorkshire and the Humber Plan' ("YHP") which is at an advanced stage in the consultation process. Draft RSS was submitted to Government in December 2005 and was subject to an Examination in Public during September and October 2006. The resulting report by the Independent Panel was published in March 2007 and the Secretary of State published proposed changes on 29th September; these changes were open to consultation until 21st December 2007.

2.7 Policy H3, 'The Provision of Affordable Housing' consists of two parts:

> *"A – The Region needs to increase its provision of affordable housing. Plans strategies programmes and investment decisions should ensure the provision of affordable housing to address the needs of their local communities."*
>
> *"B – LDF's should set targets for the amount of affordable housing to be provided. Provisional estimates of the proportion of new housing that may need to be affordable are as follows:*
>
> - *Over 40% in North Yorkshire districts and East Riding of Yorkshire*
> - *30-40% in Kirklees, Wakefield and Sheffield*
> - *Up to 30% in other parts of South and West Yorkshire, Hull, North Lincolnshire and North East Lincolnshire"*
>
> (my emphases)
>
> (Draft RSS, Policy H3 Incorporating Secretary of State's Proposed Changes)

2.8 It is acknowledged in part A of policy H3 that the Region needs to increase its provision of affordable housing. However it is clear that the reference to the 'Plans, strategies, programmes and investment decisions' is an acknowledgement that developer contributions alone are not expected to comprise the sole source of affordable housing supply.

2.9 Part B of RSS policy H3 establishes that the targets for provision of affordable housing are only provisional, and in the reasoned justification it is acknowledged that these will be refined based on the outcome of Strategic Housing Market Assessments (SHMA) undertaken at sub-regional level:

> *"...indicative estimates of the proportion of new housing that may need to be affordable.....it is likely that there will be considerable variety in what is required within districts. The figures will need to be reviewed in the light of findings from emerging strategic housing market assessments"* (my emphases)
>
> (Paragraph 13.43A, Draft Yorkshire and Humber Plan incorporating Secretary of State's Proposed Changes 2007)

2.10 The emerging YHP therefore identifies that local authorities will need to set targets for affordable housing provision for their individual areas using the guidance of policy H3. The South Yorkshire sub region (in which Barnsley lies) is specifically identified as falling within the 'low need' category and consequently falls within the 'less than 30%' affordable housing category.

2.11 This draft policy was criticised, especially in respect of the robustness of the evidence base which suggested a requirement for 6,000 additional affordable dwellings over the plan period. This aspect of the policy was acknowledged by the independent panel report in paragraph 5.102 of their report, with the acceptance of the proposed percentage ranges of affordable provision being made on the understanding that SHMA's would subsequently provide the robust and credible evidence base on which to judge the appropriateness of this policy.

2.12 It is apparent that the emerging regional policy position identifies, in line with national guidance, that overall affordable provision must be based on an assessment of need. Furthermore it directs Authorities to consider the range of affordable needs which may exist

in their areas in light of survey evidence and thereby promote better balance and sustainability of housing stock.

Local Policy

2.13 The Barnsley Unitary Development Plan was adopted in December 2000 and ahead of the LDF being concluded sets out the policy position of the Council. In respect of affordable housing provision the plan sets out within Policy H5 entitled 'Housing for Special Needs';

> *'The council will promote diversity of dwelling type, size, density and design throughout the borough to meet the full range of housing need. In particular, the council will encourage, in appropriate locations throughout the Borough:*
>
> *A) Housing for key workers*
> *B) Affordable housing and housing for rent*
> *C) Housing for the elderly and those with disabilities*
> *Homes intended for single person households'*
> (Policy H5 adopted UDP)

2.14 This does not identify a target provision of affordable accommodation nor does it make an attempt to define qualifying sites on which affordable housing contribution will be sought. It is therefore difficult to consider that the provision of such housing was intended to be a material consideration in determining applications for residential development. It would appear therefore that the policy provides recognition that affordable housing could be incorporated within developments and was something that would generally be encouraged by the Council but critically was not a 'requirement'.

2.15 This understanding is supported by the clear direction expressed by the Housing Background Paper 2 dated October 2005 which supported the preferred options stage of the LDF. This concludes at page 28 that the council has three options in respect of affordable housing provision namely;

1 Continue the approach of the adopted UDP

2 Make no policy provision for affordable housing

3 Introduce an affordable housing policy.

It continues to reject options 1 & 2 and suggest option 3 of including an affordable housing policy within the LDF. This is a clear indication that the Council do not consider that adopted policy H5 of the UDP is an 'affordable housing policy' capable of securing provision on qualifying sites. On this basis I would suggest policy H5 is incapable of requiring a contribution to affordable housing on a particular site.

2.16 This assertion is supported by the fact that the Council have not secured (i.e. presumably not sought) any affordable housing provision against policy H5 on the evidence of section N returns within the annual HSSA documentation. This confirms the status of H5 as a policy position on affordable housing which is merely intended to encourage provision rather than seeking to require it.

2.17 It is clear therefore, that the Council cannot require affordable accommodation contributions under policy H5 of the adopted plan. In the absence of adopted policy the Council appear to be attempting to secure affordable housing contributions entirely on the basis of applying the draft policy from the preferred options stage of the LDF. It is therefore logical to consider the current progress of the LDF and consider if they are of sufficient weight to secure an appropriate affordable contribution.

Local Development Framework

2.18 The council issued for consultation a preferred options paper in October 2005 setting out policies across a range of topic areas. This initial consultation produced around 2000 comments in respect of the options set out within the paper. However, a further options consultation stage is planned during 2008 in order to ensure 'full compliance' with the statement of community involvement and allow due consideration on the various aspects of the preferred options prior to submission.

2.19 Therefore whilst a preferred options stage has been completed no firm policy direction can logically exist given these preferred options are once again to be set out for consultation. Until the second stage covering further options has been produced, comments received and acted on it is certainly premature to consider this as 'policy'.

2.20 The Council's preferred options in respect of affordable housing are set out within the development plan document termed 'Barnsley Policies'. As set out above this remains subject to further consultation (which is not scheduled to take place until September 2009)

and necessarily remains in draft form pending conclusion of this process. Draft policy H7 identifies;

> *Proposals for residential development must provide affordable homes where;*
>
> *A there is local need for them; and*
> *B the proposal provides 25 or more homes, or is on a site of 0.6 hectares or more in area, and is within a town or village of more than 3000 people; or*
> *C the proposal provides 15 or more homes, or is on a site of 0.4 hectares in area, and is within a town or village of 3000 people or fewer.*
>
> *The number of affordable homes to be provided must be at least 15% of the total number of homes proposed. The types of affordable homes provided must be those for which there is a local need.*
>
> *The developer must show that arrangements have been made and put in place to keep the new homes affordable.*
>
> *Where necessary, we will ask for a planning obligation to secure these requirements.*
> (Draft policy H7 preferred options Barnsley LDF)

2.21 This draft policy now departs from the guidance in PPS3 both in respect of national minimum site thresholds and definitions of qualifying affordable housing identified within the supporting text to the policy. These will necessarily require revision and logically this should form part of the forthcoming consultation in respect of this policy aspiration.

2.22 Whilst the preferred options paper sets the Council's direction in respect of affordable housing requirements it is incapable of being termed 'policy' until it has been subject to examination in public and consequent inspectors report. Until that time it can be considered of limited material weight in determining planning applications. Logically because it now fails to meet the latest guidance within PPS3 and also has yet to be subjected to the final consultation prior to submission stages it should be properly considered as a document of very limited weight.

2.23 The Council has also promoted a supplementary planning document entitled "Affordable Housing in New Residential Developments" to support draft policy H7 and issued this for consultation between 13 September and 13 October 2006. Despite the need to re-consult on the DPD which set out policy H7 (and revise it to accord with PPS3) the Council proceeded to 'adopt' the document in the form of a Planning Advice Note in January 2007. In paragraph 1.1 of the this PAN the Council identify that;

> *"Developers must provide affordable housing under policy H7 in the local development framework which is expected to come into force in 2008. We will use the SPD as a basis for negotiating with developers before deciding on planning applications for housing development."*
> (Paragraph 1.1 - Affordable Housing in New Residential Developments.)

It continues at paragraph 1.2,

> *"Pending the adoption of the LDF the Supplementary Planning Document will be applied as a Planning Advice Note."*

2.24 It would therefore appear that the Council acknowledge the lack of weight to be applied to both documents given they will only use the PAN as a basis for negotiation with developers rather than as a basis for determining planning applications. Further they accept that it cannot exist as a legitimate SPD ahead of the DPD (and H7) being adopted.

2.25 Furthermore PPS12 is clear in respect of SPD's at paragraph 2.43 ii where it states;

> *"It [the SPD] must be consistent with national and regional planning policies as well as the policies set out in the development plan documents contained in the local development framework"*

> *"It [the SPD] must be clearly cross-referenced to the relevant development plan document policy which it supplements (or, before a relevant development plan document has been adopted, a saved policy);"*
> (PPS12 paragraph 2.43ii - my emphasis)

2.26 In respect of the first point the PAN departs from national guidance in respect of dictating providers of affordable housing, seeking to secure affordable housing in perpetuity and

attempting to control transfer prices. In this respect it is at odds with the provisions of PPS12 and requires amendment.

2.27 Given the relevant DPD has not been adopted it is a requirement that the saved policy is adequately cross referenced within the SPD. In this respect the PAN policy H5 is only noted at paragraph 2.3 of the PAN but it makes not attempt to cross reference the contents of policy H5 or their relevance to the various provisions of the PAN. In this respect the PAN seeks to secure provisions which are not identified by either policy H5 or within H7 of the DPD and in this respect departs from the provisions of PPS12.

2.28 In conclusion 'adoption' of the PAN was premature considering the impact of PPS3 on the preferred option paper and provisions of H7. Whilst securing an affordable housing policy in the LDF is clearly an aspiration of the Council the contents of the policy remains subject to further public consultation and, critically, inspector deliberation following the EIP. In this respect in its current form as H7 within the draft DPD and as set out in the PAN it cannot be considered 'policy' and should only be afforded very limited weight at the current time in material decisions on planning applications.

2.29 Critically and in accordance with PPS3 where the emerging provisions seek an affordable housing proportion on qualifying sites it must be underpinned by a robust evidence base in the form of a Strategic Housing Market Assessment. Where such an assessment has not been undertaken it is logical to apply existing survey evidence provided it is robust and further provided its limitations are considered.

2.30 On this basis it is relevant to consider in detail the evidence base promoted by the Council as underpinning the affordable housing aspirations in terms of whether it is sufficiently robust to inform this emerging position on affordable housing.

3.0 HOUSING NEED ASSESSMENT

3.1 As set out in paragraphs 2.3 & 2.4 above a robust evidence base of need is a prerequisite of requiring affordable housing contributions within plan policy. In order to support the emerging policy aspirations of the LDF the Council appointed David Cumberland Housing Regeneration Ltd in January 2005 to undertake a housing need study ("HNS05") for the District.

3.2 The final report was published in June 2005 and set out its findings in respect of affordable housing needs within Barnsley. These findings and the methodology used to establish them are considered in detail in the next section. This analysis indicates that the survey fails to provide a robust assessment of affordable housing need and methodology shortcomings combine to overestimate the level of affordable need which exists in the area.

3.3 The HNS05 identifies at page 5 that the Council devised the seven 'market areas' but no data is presented about how these areas were determined and whether they actually operate as individual housing markets in accordance with ODPM (as was) definitions.

3.4 Paragraph 1.7 acknowledges that the survey response was low with only 17% of 21414 being returned. This results in an acceptable sample error at District level (of 1.61%) but some elevated figures for particular 'market areas' of up to 6.46%. This issue coupled with the skew towards elderly persons returning questionnaires (of about 11.6%) necessarily requires a degree of caution to be attached to the findings particularly as elderly households are more likely to be in housing need as acknowledged by paragraph 1.8 of the survey.

3.5 The HNS05 identifies at paragraph 4.20 the range of house types used to establish an 'average' purchase price for each of the market areas and subsequently sets these out in table 4.8. Clearly these represent a simple average of all property types which will be affected by the relatively high prices of detached properties. No attempt has been made to establish an entry level price as set out within the 2000 Local Housing Need Assessment Guidance and more lately within the Strategic Housing Market Assessment Guidance of May 2007.

3.6 Entry level or lower quartile prices are a much more logical measure for setting affordability given they remove the affect of large detached properties from the assessment. This is why the guidance for surveys of housing need has consistently been to consider affordability against entry level prices. The HNS05 however, departs from this guidance and simply utilises the average price data from table 4.8 within the affordability section of the technical appendix. By using inflated costs of market housing this approach necessitates assuming higher than necessary housing costs when setting the cost of purchasing in the private market. Adopting this approach will clearly overstate the number of households identified as being 'in need' of affordable housing because their incomes are insufficient to bear the annual housing costs necessary to enter the private housing market.

3.7 The affect of this departure from guidance will be most significant in the market areas where a wide difference in price exists between entry level and top price properties or where there are a high proportion of larger properties as part of the housing stock. Given on a District wide basis some 68.3% of houses are at least 3 bedroom in size and 57% of total stock is either detached or semi detached it is likely that 'average' house price is significantly higher than 'entry level' or 'lower quartile'. Because all the survey's assessments of affordability are made against this 'average' price level of affordable needs will be overstated by the assessment. Those households who could afford an entry level property but not an 'average' priced one will be wrongly classified as being in need of affordable housing.

3.8 The current Entry level, or lower quartile price (from land registry data for Q2 2007 provisional), for Barnsley is £85,000 which is below the regional figure of £102,000 and some 32% below the England average which indicates that despite increases the market remains below the regional position. In terms of the entry level price prevailing at the time of the survey data for Q4 2004 was £69 200 for the District as a whole. Given this is below all of the figures used in the technical appendix it confirms that the 'average' figures used by the survey do not correlate with entry level for the respective market areas. Re-running the technical appendix on the basis of entry level prices (in accordance with the guidance) would reduce the overall affordable requirement.

3.9 Additionally the survey whilst considering the costs of accessing the private purchase market does not analyse in any detail the comparable costs of the private rented sector. As identified in section 2 of this statement, PPS3 is clear in defining 'affordable housing' as being more affordable than accessing open market accommodation either rented or purchase. In this respect a key component of any need assessment must be to establish

the costs of private renting or buying and testing households who may be in need against the respective costs of each. Where households have sufficient income to resolve their needs in the private rented market they cannot by definition be in affordable need.

3.10 The survey considers the prevailing private rented sector in section 3.17 - 3.20 and implies at paragraph 5.15 that because more emerging households can afford to rent (3500 households) than buy (2836 households) that private renting must be more affordable than purchasing in the market. However, the survey then appears to conclude that the private rented sector cannot resolve any needs because;

> *"the private rented sector sector is traditionally seen as a stepping stone and given that it is only marginally more affordable than owner occupation, the 4030 estimate of newly forming households is taken as a basis of demand for affordable accommodation."*
> *Paragraph 5.15 page 59 HNS05.*

3.11 This assumption is clearly flawed given the survey has already identified that some 23% more emerging households can afford private renting than buying. Further this analysis seems to be predicated on the simple basis that all private renting in the District is in the range £350 - £400 per month. Current analysis shows that properties are available at significantly below this rate in large parts of the District which even ignoring any increases since the survey date would suggest that even the private rented sector is even more affordable than the survey suggests.

3.12 Further in order to properly establish the potential for the private rented sector it should be considered alongside the market properties in the technical appendix analysis. This analysis has not been conducted by the survey as the technical appendices simply assess backlog and emerging households against a singular affordability test centred around a household ability to purchase an 'average' property. The role of the private rented sector is therefore entirely discounted in the survey which is contrary to guidance. Consequently the survey will be significantly overstating the requirements for new affordable homes.

3.13 Paragraph 5.15 identifies that out of the 6866 households assessed as 'emerging' some 2836 can afford an average priced property. It therefore assumes that the balance of 4030 households are in need of affordable housing. However, the same paragraph identifies that 3500 emerging households can afford private rented accommodation which logically

suggests that only 3366 (6866-3500) are actually in need of affordable housing. This proper correction to account for the private rented sector reduces the annual requirement for affordable housing by some 127 per annum or about 46%.

3.14 The survey also assumed, somewhat simplistically, that households will only want accommodation in their 'first preference' area. The assumption is made that if they cannot afford to buy in this location they will immediately revert to affordable housing provision. The reality of household behaviour will be more complex with inability to afford in one area leading to exploration of buying options in adjoining wards where prices are more favourable and supply greater. The approach advocated by the survey which only considers need within each of the identified 'market areas' will wrongly suggest new provision of affordable accommodation even though adjoining areas offer properties to buy (or rent).

3.15 This assumption overstates affordable needs by not adequately reflecting the flexibility of households to move to a more affordable part of the District to resolve their need. The HNS05 modelling on this aspect will be particularly affected by the fact that the selected 'market areas' as defined by the Council will not accurately reflect the buying choices of households given they are constrained to generally small parts of the District.

3.16 Paragraph 5.16 of the HNS05 suggests that there are some 937 existing households expected to 'fall into need' annually and as such will require affordable housing. It is a requirement of the 2000 guidance at page 23 that stage 11 of the BNAM assessment should identify households who fall into need due to the following categories;

> *"A number of circumstances might give rise to such change of circumstances, including: emergency such as fire or flood; serious illness or accident affecting health/disability Status; significant deterioration in structure or condition of house; harassment by neighbours; being a victim of crime; loss of income due to job change or illness leading to mortgage or rent payment difficulties."*

It continues;

> *"HN surveys are not particularly helpful in identifying and measuring these change events, although they may identify a backlog of people who, having been affected by such events, are awaiting re-housing or other assistance. It is suggested in Table*

2.1 that the main data source for these new needs will tend in practice to be the authority's (and partners') own administration systems."

3.17 Clearly this is intended to represent an 'emergency category' and it is somewhat unlikely that this amounts annually to some 20% of the entire waiting list and further that the waiting list only increased by 815 households between 2004 and 2005. The HSSA returns for the year 2005/06 identifies 'only' 150 households as being accepted as homeless and in priority need during that year. Some of these, but not all, are likely to be within the above mentioned category but it is considered very unlikely that a further 787 households 'fell into need' during that period.

3.18 The survey identifies at paragraph 3.16 and 3.20 that net movement between the owner occupied or private rented sector and the social rented sector were largely balanced suggesting that there are not large numbers of households 'falling into need' from the private market. The survey does not offer an explanation of how the figure of 937 is established but on the evidence of the latest waiting list data it would seem to be very significantly overstated. This will directly overstate the number of households assessed as being in need of affordable housing because the entire number of households in this section of the assessment get taken forward into the overall shortfall of accommodation.

3.19 The use of average house prices and the lack of due consideration for the private rented market will make the purchase market appear far more expensive than it is in reality and fail to reflect the fact that many households will choose the private rented sector before choosing to rent from the Council or an RSL. The methodological errors of calculating the number of households 'falling into need' will further overstate the findings to the point where the assessment that 275 new affordable homes a year are 'required' becomes particularly unreliable as evidence.

3.20 It is possible to consider the implications of properly considering the role of the private rented sector on the overall affordable housing requirement. The following table considers the overall findings of the survey adjusted to compensate for private rented only. Clearly if the range of other issues are incorporated this will further reduce the level of required provision. In respect of planned and existing provision the following position is established;

	Number of Homes
Five year Affordable Housing Requirement 2005 (Housing Affordability Study)	1377
Adjustment from paragraph 5.15 of study to include the role of the private rented sector	4030 – 3366 = 664 can afford private rented sector So - 664
Housing Association Programme Completions 2004/05 (HSSA return)	-23
Total	690
Housing Association programme completions 2005/2006 (HSSA returns)	-134
Total	556
Housing Association programme completions 2006/2007 (HSSA returns)	-142
Shortfall in Affordable housing at start of 2007/ 2008	**414**

Year	Housing Association Programme
2007/2008	242 (HSSA return)
2008/2009	92
2009/2010	92
2010/2011	93
Totals	**519**

3.21 From the above evidence it is apparent that the entire shortfall of affordable housing of some 414 dwellings can be resolved by existing planned RSL provision which is occurring outside of emerging affordable plan policy. Further the adjustments made at line two above in respect of the private rented market only are the 'minimum' corrections to the survey findings which are justified. As identified above proper consideration of 'households falling

into need' alongside use of entry level prices as apposed to average would further reduce the required provision.

3.22 Whilst this analysis demonstrates that the there are shortcomings in the methodology of the survey which overstate the need to the point where existing provision can resolve needs, the survey itself comes to a similar conclusion at paragraph 7.20 page 84-85. Here it identifies the '275pa' shortfall of affordable accommodation across the District but suggests that this can actually be offset by a surplus of supply elsewhere of 400pa. It then notes that of this 400pa some 250pa is within planned demolition programmes but concludes the 'balance [of 150pa] is available to meet shortfalls if necessary'.

3.23 It would therefore seem totally inappropriate to use the 275pa shortfall as a headline policy aspiration given this does not actually exist in practice. The actual shortfall identified by the survey is 125pa because 150 units per annum are available (400-250) to resolve shortfalls in part of the District. Consequently provision over and above 125pa will simply be increasing the surplus of affordable housing and presumably further placing pressure on the remaining low demand properties. The analysis in paragraph 3.20 clearly indicates that the Housing Association programme already amounts to some 129pa for the next four years and additional provision is consequently not required.

3.24 In conclusion accepting the data within the survey without question of methodological shortcomings results in a shortfall of only 125 units per annum of affordable housing. On the Council's own evidence this amount of provision is already being secured by the Housing association's own development programmes. In this respect no methodological adjustments are necessary to suggest that further affordable provision is either necessary or justified via planning gain policy. Application of the proper guidance and approach to the survey will simply reduce this 125pa requirement further, suggesting that the RSL programme is too large.

3.25 It is clear from the HNS05 that the requirement for additional affordable housing derived from the assessment is almost entirely due to the planned demolition programmes within the existing stock. It would seem somewhat at odds with logic to suggest that the demolition of existing affordable provision due to low demand or difficult to let status is in turn creating a requirement for new provision which should be secured through planning gain.

4.0 METHODOLOGY OF PROVISION

4.1 This statement has identified that Policy H5 of the adopted Local Plan does not set a specific overall target for the provision of affordable housing on sites nor does it specifically require a proportion of affordable housing. The draft Policy H7 of the LDF identifies the Council's preferred option for affordable provision but remains subject to further consultation and is therefore of very limited current weight. The statement further identifies that the evidence base being used to underpin the new prospective policy position departs from guidance in terms of methodology and its findings are therefore unable to reliably inform the mix, size and tenure of affordable housing that may be required.

4.2 The applicants' acknowledge that provision of affordable housing is a material consideration and therefore propose that 25% affordable housing will be provided on the subject site.

Tenure split

4.3 In considering the ability of a Local Planning Authority to specify matters of mix, type and tenure it is useful to consider a recent appeal decision in Redrow Homes (South West) Ltd and the Old Colstonians Society (PINS ref: APP/P0119/A/06/2033219) which was recovered for determination by the Secretary of State. The inspector, (whose findings were accepted without amendment by the Secretary of State) had regard to the dwelling mix and tenure type of the affordable housing proposed by the appellant.

> *"While seeking to provide affordable housing with a range of tenures is a proper objective, there is no policy basis for any split, let alone the Council's preferred split. The basis of the preferred split is a survey which does not conform to current guidance and could be misleading. Although regard may properly be had to the HNS in determining an appropriate split of tenure.....**it should not be used in a determinative or inflexible way**".* (my emphasis)
> (Paragraph 98 – Inspectors Report)

In this instance the Council had failed to demonstrate any adopted plan policy or firm evidential base for its preferred mix of dwelling types, sizes and tenures for the appeal site, and was also unable to demonstrate that any harm might result from the appellants

proposed mix. As this inquiry was concerned with the application of an adopted affordable housing policy within a local plan it is evident that an inspector would apply extremely limited weight to emerging policy if considered as part of a S78 appeal.

4.4 On the basis that 25% of the submitted scheme is delivered as affordable housing it is proposed that it shall comprise 60% shared ownership and 40% social rented provision.

4.5 An affordable provision as proposed will offer an improvement on the current affordable housing stock which is weighted predominantly toward social rented provision. It will also allow a focused shared ownership provision to target area imbalances within the existing stock which will not adversely upset the demand for existing property. This is important to avoid undermining the sustainable community ambitions of the Council. The inward investment generated by the new housing will assist in the some of the wider regeneration aspirations of the Council and will be one of many elements that contribute toward achieving a more mixed and balanced community as is required by Government Policy.

Unit Type

4.6 In promoting a mixed tenure housing scheme for the affordable element of this development regard has been given to newly forming households who are least likely to be able to resolve their needs in the market. The design of the properties therefore needs to be of suitable size in order to maximise affordability. It would obviously be illogical for example to promote the provision of three bedroom houses for emerging households on a shared ownership basis where a one or two bedroom apartment would comprise eminently more suitable and affordable accommodation.

4.7 The HNS05 sought to identify the housing requirement by type across all of the identified sub-market areas. The subject site is within the 'Barnsley Central' sub – area whereby 84% of all identified need was for smaller 1 and 2 bedroom properties.

This requirement is recognised in the detailed mix of affordable housing by type and tenure proposed:

Shared Ownership

6 x 2 bedroom 'Como' apartments

2 x 2 bedroom 'Aix' apartments

2 x 1 bedroom 'Duplex' apartments

Social Rent

6 x 1 bedroom 'Duplex' apartments

4.8 Additional evidence in respect of the required house types is to be derived from examination of the Housing Waiting list within the Housing Strategy Statistical Appendix for Barnsley dated April 2006. Some 69% of the overall requirement is for 1 and 2 bedroom dwellings, whereas these dwellings comprise only 51.58% of the existing social housing stock, thereby creating a clear imbalance.

4.9 The split between the requirement for 1 and 2 bedroom dwellings is approximately one third 1 bedroom to two thirds two bedroom. This split is broadly reflected in the mix of types proposed by the applicant. (50% 1 bedroom and 50% 2 bedroom)

Delivery

4.10 The Council indicates in PAN34 their expectation that affordable housing will be owned or *managed by a Registered* Social Landlord. It should be noted that whilst a preference to work with particular partners may be expressed by the Council, it would be contrary to PPS3 to utilise restrictive practices which would prevent the development of a mixed economy of providers.

4.11 The applicants' proposals will ensure that the RSL or other Affordable Housing Provider selected to manage and/or receive the transfer of the affordable housing land will be accredited by the Housing Corporation for Housing Management purposes.

Allocation of Property

4.12 The Intermediate shared ownership dwellings will be marketed to qualifying households who are able to demonstrate that they would be unable to purchase a property suitable to meet their needs on the open market. Preference will be given to local people who have a family or work related connection to the area. Rented dwellings will be allocated according to the Affordable Housing Providers approved policies to ensure that lettings reflect housing need as well as the ability to pay.

Standards

4.13 The affordable housing will be developed to a standard equivalent to the private housing on the site.

Subsidy

4.14 The applicants' proposals ensure that 25% affordable housing will be provided on the subject site. The provision will comprise of 10 shared ownership homes for sale and 6 social rented dwellings, all delivered without recourse to public subsidy.

S106 Agreement

4.15 It is proposed that a suitably worded planning obligation will be entered into with the Council in order to define the mechanism under which dwellings are to be transferred to an Affordable Housing Provider, specify the timing of their delivery, and outline the eligibility criteria to be applied to prospective occupiers both in terms of initial allocations and subsequent assignments of the affordable dwellings.

5.0 CONCLUSIONS

5.1 The Council has no adopted policy which requires the provision of affordable housing on qualifying sites.

5.2 The HNS05 has been shown by this Statement to be flawed in respect of its methodology and analysis of affordable housing requirements. It does not adequately consider entry level prices, fails to analyse the role of the private rented sector and appears to overstate the numbers of households 'falling into need' on an annual basis.

5.3 Properly considering the role of the private rented sector revises the shortfall of affordable provision down to some 414 properties over the period to 2011.

5.4 Analysis of supply within the existing and planned affordable housing programme outside of planning gain is some 519 properties over the same period. Clearly this provision is more than capable of resolving the affordable housing need which exists ahead of any adjustments for 'entry level prices' and 'existing households falling into need'.

5.5 The survey identifies that shortfalls in affordable housing which occur in some areas can be offset against surpluses which exist in other areas where necessary. Logically it would be a sensible option to utilise existing stock in this way rather than simply requiring new provision.

5.6 The survey highlights that some 250 properties are being demolished annually presumably due to combinations of low demand, difficult to let categorisation and poor quality. Stock surpluses elsewhere in the district amount to some 400 properties pa. It is therefore apparent that the identified 'shortfall' of 275 units' pa is a selective interpretation of the situation prevailing in the District. The combination of demolitions, existing surpluses and current RSL development programmes adequately resolve affordable need which arises and further provision is not justified.

5.8 Notwithstanding the deficiencies in the Councils policies and evidence base, it is recognised that provision of affordable housing is a material consideration. Consequently it is proposed to offer 25% of the dwelling numbers as affordable housing.

5.9 The Council has not produced Local Development Documents in line with the requirements of PPS3 that specify the mix, size and tenure of affordable housing required. Therefore the proposed mix of dwellings has been established having regard to the limited findings of the HNS05, together with waiting list data, both of which identify an overwhelming requirement for 1 and 2 bedroom dwellings.

5.10 A mix of 1 and 2 bedroom apartments are proposed comprising dwellings for both shared ownership and social rent. It is proposed that the mechanism for transfer to an Affordable Housing Provider, definitions of eligible occupiers and future controls on occupancy will be the subject of an appropriately worded planning obligation.