

**MATTER 5**

**Specific Housing Needs and Generic Housing Policies**

**Issue 1 – Housing Mix (Policy H1)**

**1.1 Does the requirement for developments to provide for a mix of housing in accordance with the most up-to-date SHMA provide sufficient clarity?**

1.1.1 Yes, it does.

1.1.2 The 2012 NPPF advises that local planning authorities should seek to deliver a wide choice of homes, creating sustainable, inclusive and mixed communities. They should identify the size, type, tenure and range of housing that is required. As set out in the Policy and Strategy Topic Paper (ED13.5) Policy H1 is intended to ensure that a wide choice of homes is delivered over the plan period. The policy is not prescriptive in order to provide flexibility and ensure that it relates to the most up to date evidence. It states that the final mix will be negotiated with the developer based on housing needs as informed by the SHMA and other relevant factors such as available supply and market demand.

1.1.3 In terms of housing size the SHMA suggests that going forward the requirement should be 60% 1 and 2 beds and 40% 3 and 4 beds. The Local Plan and Site Allocations Viability Study (ED24.1) recommends that the Council takes a flexible approach to applying this advice when dealing with housing applications in the District, as relatively lower levels of housing viability in urbanised parts of the District could be compromised by an unsuitable housing mix. The analysis of recent planning applications indicates an overall split of approximately 46% 1 and 2 bed dwellings with 54% being 3 bed or larger. In terms of viability testing the Study used a 50/50 mix for the appraisals as this was between the split recommended by the SHMA and recent trends. Over time, following the adoption of the new Local Plan the Council will pro-actively negotiate a housing mix more in line with the SHMA recommendations.

**1.2 Are the requirements of Policy H1 in relation to space and accessibility clear?**

1.2.1 The Council's response to the Inspector's preliminary – matters and issues (EL 1.001b) and response to Inspector's follow up questions (EL 1.001d) clarifies that the Council seeks to apply the optional space and accessibility standards although it intends to enable detailed consideration of their implementation at the planning application stage. The Policy Topic Paper (ED13.5, pages 25-26) sets out the evidence for seeking the optional space and accessibility standards and the Viability Study (ED24.1) tested the viability of including the optional standards. However, it is considered overly onerous to require the optional space and accessibility standards for all dwellings on all sites or to set a specific percentage that would apply across the board. The intent of the policy is to allow for consideration of the scope and merit of introducing the standards and the extent to which they are applied as a percentage of the number of compliant units on a site-by-site basis. The Council has proposed a modification to the supporting text to explain this further (MM21).

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**1.3 Does the wording of Policy H1 allow for sufficient flexibility taking into account viability considerations and differing needs across the District?**

1.3.1 Yes, it does.

1.3.2 Policy H1 is not prescriptive as to how the housing requirement is met, allowing flexibility in the design of developments and the actual dwellings. Part 3 b) states that 'the final mix will be negotiated with the developer'.

<b>Issue 2 – Affordable Housing (Policy H3)</b>
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**2.1 Are the requirements for the levels of affordable housing within Policy H3 justified (now proposed as 33% on schemes of 11 dwellings and above in towns and 33% on schemes of 5 dwellings and above elsewhere)?**

2.1.1 Yes, the levels are justified. For schemes of 5 dwellings and above see below (2.2).

2.1.2 As explained in the Policy and Strategy Topic Paper (ED13.5) the Local Plan and Site Allocations Viability Study (ED24.1) has tested generic development typologies and also the site specific viability assessments assuming 33% affordable housing provision. In addition viability testing at lower levels of 10% and 20% have also been undertaken. The Study concludes that it may not be possible to achieve this target level of 33% affordable provision on all sites. Policy H3 however states that the actual level of provision will be determined through negotiation taking into account development viability and other contributions.

**2.2 In particular is the threshold of '5 dwellings or more' for elsewhere (areas beyond the towns) justified?**

2.2.1 No, it is not.

2.2.2 The Council agrees that the threshold of '5 dwellings or more' should be increased to 11 dwellings or more to accord with the guidance in the PPG relating to planning obligations. The Council proposes a modification which includes a blanket 11 dwelling threshold across the District for all affordable housing schemes (MM23).

**2.3 Should a finer grain approach to the amount of provision in different parts of the District be adopted taking into account the findings of the viability study?**

2.3.1 No, it should not.

2.3.2 Although the Viability Study (ED24.1) considers a range of affordable housing from 10% to 33% in various Zones and allocated sites, the ability to achieve these percentages on sites vary. The Council notes the suggestion regarding a 'finer grain requirement' but considers that the level of detail would be difficult to include in the Policy.

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**2.4 Is the wording of the 2nd part of Policy H3 Section 1) a) likely to undermine the provision of affordable housing?**

2.4.1 Yes, it is agreed that it could.

2.4.2 In response to the inspector's preliminary views on matters and issues for the examination (EL1.001b) the Council agrees that the current wording allowing 'negotiation' in each case could undermine the provision of affordable housing and proposes to prepare an appropriate modification to address this (MM23).

**2.5 Is the tenure split within Policy H3 justified? (60% for rent/40% intermediate or starter homes)?**

2.5.1 Yes, it is justified.

2.5.2 The SHMA Update 2017 (ED27.5) details how the needs for all types of housing have been assessed. Sections 6.0 and 7.0 of the Update set out how the level of affordable housing need was determined, based on the stepped approach set out in line with the former CLG SHMA Guidance and the Practice Guidance. The analysis in Section 7.0 of the SHMA Update indicated that, of all existing households unable to access a new home, 57% could theoretically afford to pay social rent/affordable rent. Based on the analysis of incomes and qualitative considerations including the progressive move at a national level away from social rented towards affordable rented tenure provision, the SHMA Update recommended that around 60% of future affordable housing should be social / affordable rent; with the remaining 40% comprising intermediate shared ownership, starter homes and/or rent to buy. The report emphasised that the split had been based upon an assessment of affordability of different forms of affordable housing for those in need.

**2.6 Does the tenure split provide sufficient flexibility if needs change over the lifetime of the LP?**

2.6.1 Yes, it does.

2.6.2 The SHMA Update 2017 (ED27.5) concluded that the emerging role of starter homes in particular required close monitoring and if new evidence emerges on the affordability impacts of social rented and intermediate properties then the recommended tenure split may require amendment. This is particularly so given that there have been comparatively few intermediate shared ownership properties developed in the District in recent years, whilst starter homes are also new to the District. The update recommends that a flexible approach to affordable housing requirements is taken, this applies to the amount to be provided but also the tenure type.

2.6.3 Part 2 of Policy H3 allows some flexibility to tenure split as it states that 'unless circumstances dictate otherwise' and in agreement with the Council, 60% of all affordable housing dwellings provided on each site will be social / affordable rented housing with the remaining 40% being intermediate / starter homes. Part 1 of Policy H3

**2.7 Is the modification to Policy H3 Section 2) a) to allow a proportion of market housing (para 54 of the NPPF refers) appropriate?**

2.7.1 Yes, it is.

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- 2.7.2 In response to the inspector's preliminary views on matters and issues for the examination (EL1.001b) the Council agrees that Policy H3 2) a) should be modified to reflect para 54 of the NPPF and be consistent with the definition of 'rural exception sites' in the Local Plan glossary (MM23).

<b>Issue 3 – Generic Housing Policies</b>
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**3.1 Are the other requirements of Policy H1 clear to the decision maker e.g. in relation to starter homes and self-build housing (the Council has indicated that it will be giving further consideration to the wording of the policy)?**

3.1.1 Yes, with the proposed modifications it is.

3.1.2 Starter homes are specifically dealt with in Policy H3 – affordable housing. It is proposed to make amendments to improve consistency between policies and the supporting text (MM1 and MM12).

3.1.3 With regard to self-build housing the Policy and Strategy Topic Paper (ED13.5) details the number and type of registrations. The Council's response to the Inspector's preliminary –matters, issues and soundness (EL 1.001b) explains that the reference to self-build is not a requirement but will be looked at on a site by site basis, with reference to the register at the time of the application.

**3.2 Is the criterion within Policy H1 relating to the conversion of rural buildings (Section 5) d) consistent with national policy?**

3.2.1 Yes, it is consistent but goes further than national policy.

3.2.2 As explained in the Council's Policy and Strategy Topic Paper (ED13.5) the wording included in Policy H1 part 5d) is consistent with para 55 of the 2012 NPPF but adds additional wording. Without this specific wording it could lead to unsuitable schemes coming forward for functional buildings allowed to support agriculture or industry, being retained and converted once their useful life has expired.

3.2.3 The Council strongly considers there is a continued need to resist the conversion of inappropriate rural buildings and has successfully used the existing wording to defend inappropriate planning applications/appeals for the conversion of rural buildings. The Policy and Strategy Topic Paper (ED 13.5) provides examples of relevant schemes in the Staffordshire Moorlands.

**3.3 Is the criterion within Policy H1 relating to the subdivision of existing dwellings (Section 5) f) consistent with national policy?**

3.3.1 Yes it is.

3.3.2 The Local Plan reflects the presumption in favour of sustainable development contained in the 2012 NPPF and avoids new isolated homes in the countryside unless there are special circumstances (para 55). Policy H1 therefore allows for the sub-division of an existing residential dwelling if it is not in an isolated location.

**Issue 4 – Gypsies, Travellers and Travelling Showpeople (Policy H4)**

**4.1 Does the Gypsy and Traveller Accommodation Assessment (GTAA) robustly assess the need for residential and transit sites in the District?**

4.1.1 Yes. ARC4 are an established GTAA consultant and the GTAA (ED 18.2) was prepared before the new PPTS was issued in 2015 - but had regard to this. The Government's changes to definition of 'traveller' (which may exclude those travellers who cease to travel permanently) occurred just as the study was being finalised. Consequently the authors at paragraph 2.28 recommend that the residual pitch requirements identified for the participating authorities (6 x permanent pitches to 2019 in case of SMDC before the 2018 Checkley consent) are unlikely to represent a minimum and are in fact potentially likely to represent a *maximum* due to the fact that not all households travel.

**4.2 Does Policy H4 as modified make clear any residual requirement for traveller pitches/plots and how these will be provided?**

4.2.1 Yes. The policy (as modified in MM25) makes clear the residual requirement, and the criteria to be used in determining planning applications. These criteria would continue to apply in determination of applications up to 2031 even if the residual requirements (to 2019, and beyond) have already been achieved.

**4.3 Does the use of a criteria based policy to meet the residual need for traveller sites reflect a positively prepared LP?**

4.3.1 Yes. The Council considers that it undertook extensive endeavours since 2011 to identify suitable, available traveller sites to meet residual requirements (as set out in ED13.1 (etc) p21-22), as per para 17 NPPF(2012), para 10 PPTS.

**4.4 Are the criteria within Policy H4 consistent with Planning Policy for Traveller Sites (PPTS)?**

4.4.1 Yes:

- First paragraph: para 24(a)
- First bullet: NPPF para 32
- Second bullet: para 4(k), 10(e), 13(e), para 26(a)
- Third bullet: para 4(j), 13(b)(c), para 25
- Fourth bullet: para 4(k), 10(e), 13(e)
- Fifth bullet (as modified): para 4(k), 10(e), 13(a), 13(e), 26(b)(d)
- Sixth bullet: para 4(k), 10(e)
- Seventh bullet: para 4(k), 10(e)
- Last paragraph: para 16, para 25,

(There are also applicable references in the wider NPPF to these criteria to which the PPTS clarifies should be read in conjunction with the PPTS regarding traveller policy).