

TO: PLANNING COMMITTEE – 14 February 2005

SUBJECT: WEIGHT TO ATTACH TO POLICY SC9 ON AFFORDABLE HOUSING IN THE WARWICK DISTRICT LOCAL PLAN (1996 – 2011) – FIRST DEPOSIT VERSION

FROM: PLANNING & ENGINEERING

1. PURPOSE OF REPORT

- 1.1 To advise members on how policy SC9 of the local plan should be implemented.

2. BACKGROUND

- 2.1 Members will recall that in December 2003, they received a report advising them as to the weight they should attach to the policies of the Warwick District Local Plan (1996 – 2011) – First Deposit Version. This was because at that time the local plan had recently been approved by the Council and members were unclear whether and how they should be implementing its policies. A summary of the advice given at that time was as follows.
- 2.2 As the emerging local plan is only at first deposit stage only limited weight can be attached to it at the present time. However, policies within the emerging local plan can be given greater weight where they draw support from other planning policy or guidance, for example where they:-
- roll forward the broad approach taken by a previous policy in the adopted Warwick District Local Plan (1989 – 2001) and can therefore draw support from this policy,
 - can be demonstrated to draw directly from Government guidance such as PPG's, PPS's and circulars, and
 - draw directly from policies in other adopted plans such as the Warwickshire Structure Plan. (Since the report in December 2003, the adoption of the West Midlands Regional Planning Guidance in June 2004 has meant that these policies can also lend weight to policies in the local plan.)
- 2.3 The report gave an assessment of the weight that should be attached to all of the policies in the draft local plan. It was, however, recognised at that time that any advice can only be indicative and that the weight given to some policies may need to be reviewed on a case by case basis.

3. AFFORDABLE HOUSING POLICY

- 3.1 Policy SC9 on affordable housing is one of the key policies in the local plan. It requires that a percentage of affordable housing be provided on all housing sites over a certain size threshold. These thresholds are as follows:-

Within towns:-

- a) on sites of 10 or more dwellings and/or 0.4 hectares, a minimum of 30% of total dwelling units,
- b) on sites of 15 or more dwellings and/or 0.5 hectares or more, a minimum of 40% of total dwelling units

Within rural areas:-

- c) Proposals for 3 or more dwellings, a minimum of 30% of total dwelling units

- 3.2 The Council considered in December 2003 that parts b) and c) should be given significant weight however recognised that part a) went beyond Government guidance in circular 6/98 and therefore at the present time should be given less weight.

- 3.3 Since that time, the Council has been seeking to apply this policy as set out above. Recent events have, however, questioned how much weight the Council should reasonably attach to the policy at the present time. These events particularly involve an appeal decision at 42-46 Lillington Road, Leamington Spa and the publication by Government of a revision to PPG3 (Housing) in January 2005. From these, a couple of key messages need to be understood:-

- Circular 6/98 defines “suitable sites” for affordable housing as being those of 25 or more dwellings or residential sites of 1 hectare or more, irrespective of the number of dwellings. Whilst the circular does allow for smaller sites (those of 15 or more houses or a minimum size of 0.5 hectares) to be considered, this must be done through the local plan process. It has been determined by an Inspector that since policy SC9 has not been through the local plan process (since the local plan has not been to a public local inquiry), then little weight should be attached to the lower thresholds.
- The publication of amendments to PPG3 on 24th January 2005 did not include, as was widely expected, any change to these thresholds. The Government instead proposed that further consultation be undertaken on a range of issues, including the proposed lower thresholds for affordable housing provision.

- 3.4 In the light of these events, it is considered that the Council cannot at the present time continue to give weight to policy SC9 insofar as it proposes thresholds for affordable housing provision that are below the “normal” thresholds proposed in current Government guidance. Accordingly, the following is proposed:-

- i) that in respect of minimum thresholds in urban areas the council reverts to those thresholds for affordable housing that it was using prior to the publication of the Warwick District Local Plan (1996 – 2011) – First Deposit Version. These are 25 or more dwellings or residential sites of 1 hectare or more, irrespective of the number of dwellings.

- ii) that in respect of minimum thresholds in rural areas, the lower threshold proposed in policy SC9 (c) not be applied at the present time. The urban area thresholds set out in i) above should still be applied in rural areas,
- iii) that in respect of the percentage of affordable housing sought, the council continues to seek a contribution of 40% affordable housing on appropriate sites. This is in accordance with the Housing Needs Study carried out for the Council in 2001 as this represents the most up-to-date assessment of housing needs across the district at the present time.

3.5 It should be noted that this approach in no way contradicts the Council's overall aspiration for achieving more affordable housing through the imposition of lower thresholds. The broad aims of policy SC9 will remain the Council's intention for how it wishes to secure more affordable housing and we will continue to develop this policy as the local plan progresses. The present course of action is necessary for the Council to respond now to events outside of its control.

4. **POLICY AND BUDGET FRAMEWORK**

4.1 The successful implementation of local plan policy will support the achievement of the Council's corporate strategy in respect of maximizing affordable housing.

5. **RECOMMENDATIONS**

5.1 It is requested that the approach outlined in paragraph 3.4 above be noted.

John Archer
Head of Planning & Engineering

BACKGROUND PAPERS

Warwick District Local Plan (1996 – 2011) – first Deposit Version
Report to Planning committee, 9th December 2003

Areas in District Affected:

All.

Executive Portfolio Area and Holder:

Environment, Cllr. Mrs. Margaret Begg

For further information about this report please contact:

Contact Officer: Philip Clarke, Group Leader (Policy, Projects & Conservation)

Tel: (01926) 456502 (Direct Line)

E-Mail philip.clarke@warwickdc.gov.uk