

## Matter 5: Other Housing Requirements

*Issue: Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the provision for other housing requirements.*

Relevant Policies: Policies H7PU; SP H8PU; SP H9PU; H10PU; H12PU

### Housing Density and Mix (H7PU)

**5.1 What is the evidence in relation to housing mix?**

**5.2 Does Policy H7PU provide sufficient guidance to developers in terms of housing mix?**

**5.3 Is Policy H7PU justified, effective and consistent with national policy, particularly in terms of the approach to densities?**

### Specialist and Older Persons Housing (H12PU)

**5.4 What is the evidence in relation to the need for specialist and older persons housing in the Borough?**

**5.5 Does Policy H12PU provide sufficient guidance to developers in terms of specialist and older persons housing?**

**5.6 Is Policy H12PU justified, effective and consistent with national policy?**

### Affordable Housing (SP H8PU)

**5.7 What is the evidence in terms of affordable housing need and what does it show?**

1. The Strategic Housing Market Assessment (SHMA)<sup>1</sup> identifies an affordable housing need of 99 dwellings per annum.

**5.8 What are the past trends in affordable housing in terms of completions and forms of delivery? How is this likely to change in the future?**

2. Table 2 below, shows that the average number of affordable housing completions over the last 10 years have been 23 dpa. Other data also taken from DLUHC<sup>2</sup> (Live Table 1011) suggests that during the same 10-year period that 18 dwellings were provided through S106 with nil grant.

	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Copeland	55	60	65	15	4	0	0	0	26	2

<sup>1</sup> Copeland SHMA 2021 Figure 5.16 page 84

<sup>2</sup> <https://www.gov.uk/government/statistical-data-sets/live-tables-on-affordable-housing-supply>

<sup>3</sup> <https://www.gov.uk/government/statistical-data-sets/live-tables-on-affordable-housing-supply>

**5.9 Is the site size threshold for seeking affordable housing in Policy SP H8PU justified and consistent with national policy? Is the lower threshold of 5 units within the Whitehaven Rural sub-area supported by evidence and justified?**

3. The NPPF<sup>4</sup> states that the provision of affordable homes should not be sought for residential developments that are not major developments, other than in designated rural areas. The Local Plan suggests that both Whitehaven Town and Whitehaven Rural are identified in the Housing Needs Study as a priority for affordable housing, however, a lower threshold would be unviable in Whitehaven Town. The evidence and justification for the 5 unit threshold for Whitehaven rural is not covered in any further detail in the Local Plan or in the SHMA.

**5.10 What is the evidence in relation to the viability of delivering affordable housing as part of market housing schemes? What does it show and does it justify the 10% requirement set out in Policy SP H8PU?**

4. The HBF is concerned that the viability evidence provided in Chapter 7 of the Viability Assessment shows that there are a significant number of schemes where viability is an issue with the 10% affordable requirement, this is summarised in Table 7.5 for the allocations and in the following tables for windfall developments.

**5.11 What is the basis for the tenure split set out in Policy SP H8PU? Is this justified?**

5. This policy looks for sites of 10 or more dwellings, or 5 or more within the Whitehaven Rural sub-area, to provide at least 10% of the homes as affordable. It goes on to set the tenure split with 40% identified as being discounted market sales, starter homes or other affordable home ownership routes the Council have also added a requirement for at least 25% of these to meet the definition of First Homes. The other 60% should be for affordable or social rent.
6. The NPPF<sup>5</sup> states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. The Council will need to consider how this will work with where the affordable housing target is 10% and the proposed tenure split is 40% affordable home ownership and 60% affordable / social rent. If the Council does not intend to meet the 10% affordable home ownership requirement, then this will need to be evidenced.
7. The PPG states that First Homes are the Government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations. The HBF considers that the 40% affordable home ownership split should allow for this provision and the reference to First Homes should highlight this requirement. However, the clarity of the policy could be improved as it is assumed that to be in line with the Government requirements the 25% should refer to the whole affordable housing requirement rather than just 25% of the 40% affordable home ownership routes. The HBF considers that the proposed modification (MALP119) provides an improvement in clarity separating out the First Homes requirement.

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<sup>4</sup> NPPF 2021 Paragraph 64

<sup>5</sup> Paragraph 65 NPPF 2021

**5.12 Is there evidence to support the approach to not require 10% of homes within major developments to be made available for affordable home ownership as required by paragraph 65 of the Framework?**

8. The HBF considers that the SHMA provides evidence relating to the affordable need in Copeland, and the Viability Assessment provides evidence in relation to the viability of development when the affordable housing requirement is considered. However, the HBF is concerned that there is limited justification or evidence from the Council in relation to how they have struck an appropriate balance between the provision of affordable homes for ownership and other affordable homes in terms of the viability of market provision or provision from elsewhere. It may be that overall provision could be greater if it was possible to gain more affordable home ownership homes through market provision with more social rent or affordable rent homes through grant provision.

**5.13 Is the policy sufficiently flexible in relation to viability and the potential for off-site provision?**

9. The HBF is concerned that given the known viability issues, as evidenced by the Council's Viability Assessment, that this policy is not sufficiently flexible. The HBF does not consider that it is appropriate to state that a lower proportion of affordable housing or an alternative tenure split will only be accepted in **exceptional circumstances**. It is evident from the information already collated in the Viability Assessment that under current circumstances many schemes are not viable, it seems completely inappropriate to suggest that knowing this, the Council would require a developer to demonstrate exceptional circumstances.

10. The HBF recommends that the policy is amended as follows:

*"A lower proportion of affordable housing or an alternative tenure split will ~~only~~ be accepted ~~in exceptional circumstances. In such cases~~ **where** developers ~~must~~ demonstrate, to the Council's satisfaction, why the current site specific circumstances mean that meeting the requirements of this policy would render the development unviable. This should be in the form of a clear, bespoke viability assessment."*

**5.14 Are suggested Main Modifications MA LP117-MA LP121 required in the interests of soundness?**

11. As above the HBF considers that proposed modification MA-LP119 in relation to the tenure split of the affordable housing provision provides more clarity than the previous version of the policy. However, the HBF still has concerns in relation to the proposed split and the justification and evidence in relation to affordable home ownership.

**5.15 In overall terms, is Policy SP H8PU justified, effective and consistent with national policy?**

12. The HBF does not consider that this policy is justified, effective or consistent with national policy, for the reasons set out above.