

REPORT TO: CABINET

DATE: 25 FEBRUARY 2021

TITLE: SUPPLEMENTARY PLANNING DOCUMENT – AFFORDABLE HOUSING

PORTFOLIO HOLDER: COUNCILLOR DANNY PURTON, PORTFOLIO HOLDER FOR ENVIRONMENT

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This is not a Key Decision
It is on the Forward Plan as Decision Number I012336
Call-in Procedures may apply
This decision will affect no ward specifically.

RECOMMENDED that:

- A** Cabinet approves that the Draft Affordable and Specialist Housing Supplementary Planning Document (attached as Appendix A to the report), is published for the purposes of consultation under Section 12(b) of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- B** Authority is delegated to the Head of Environment and Planning, to make and approve any minor or inconsequential amendments to the Draft Affordable and Specialist Housing Supplementary Planning Document arising from the statutory consultation.

REASON FOR DECISION

- A** To enable the Draft Affordable and Specialist Housing Supplementary Planning Document to be published for a six week period under Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

- B** To meet the legal requirements of developing and adopting a Supplementary Planning Document.

BACKGROUND

1. The Harlow Local Development Plan was adopted by the Council on 10 December 2020. The Local Plan sets out a long-term vision for Harlow, identifying land where development will be acceptable and where it will be unacceptable.
2. It contains policies which ensure future development is sustainable by meeting the needs of residents, businesses and visitors, while providing the required infrastructure and protecting environmental assets. These policies are material considerations in the determination of planning applications.
3. One of the main aims of the Local Plan is to ensure that there is a sufficient supply of sustainable, high-quality homes across a range of tenures and types in the district, to fully meet Harlow's housing need.
4. The Plan contains policies for the provision of Affordable Housing; Accessible and Adaptable Housing; and Self-Build and Custom-Build Housing.
5. Whilst the policies in the plan in themselves give significant detail of the Council's requirements, the additional guidance contained in a Supplementary Planning Document (SPD) will expand on the adopted plan, to give additional guidance to developers when making planning applications for housing developments, to officers when making recommendations, and councillors when making decisions.
6. It should be noted that an SPD cannot introduce new policy over and above that contained in the adopted local plan.

ISSUES/PROPOSALS

7. The SPD sets out the Council's approach to securing planning obligations in respect to both affordable housing and specialist housing (including older people's housing and self/custom build housing) from new developments across the District. It seeks to amplify and aid the effective and consistent implementation of the housing policies in the adopted Harlow Local Plan 2020 and assist the Council in achieving the strategic housing objectives set out in the draft Harlow Housing Strategy 2021 to 2025.
8. The SPD will be a material consideration in the determination of planning applications and will also inform pre-application discussions on relevant developments. The document has been prepared in accordance with Regulations 8 and 11 to 16 of the Town and Country Planning (Local Planning) (England) regulations 2012.

9. This SPD will replace the Affordable Housing Supplementary Planning Document that was adopted in March 2007.
10. The SPD covers three policy areas in the Adopted Local Plan giving additional guidance and information to a housing developer on:
 - a) Policy H8 Affordable Housing
 - i) Outlines the various requirements of developers in relation to affordable housing as set out in the Local Plan. It sets out the expectations of what should be covered in discussions at pre-application or the submission of a full planning application stages, and highlights the Council's process for securing the provision of affordable homes through S106 agreements.
 - ii) It also notes the Council's approach to viability, and gives guidance on the design and layout of schemes to ensure affordable housing blends in with the overall housing scheme. It highlights that a corporate priority is the delivery of more Council housing and, given the evidence base assembled for the adopted Local Plan, provides a robust position for the delivery of affordable housing by private developers.
 - b) Policy H5 Accessible and Adaptable Housing
 - i) Sets out the various requirements and expectations of developers in relation to specialist housing such as housing for older people and people with disabilities. Based on Local Plan policy, the Council will negotiate a proportion of wheelchair adaptable (market and affordable housing) and/or wheelchair accessible (affordable housing only) dwellings, as appropriate, based on the latest Strategic Housing Market Assessment (SHMA) or other additional appropriate evidence directly related to Harlow's housing needs.
 - c) Policy H9 Self-build and Custom-build Housing
 - i) Outlines the requirements of developers in relation to self-build / custom-build and Community Led Developments. It explains the planning mechanisms by which they will be delivered and sets out the Council's expectations in relation to size, type and build-route.

Next Steps

11. Following Cabinet endorsement, the SPD will follow the statutory process to adoption. The regulation cited above requires the Council to:
 - a) Produce a consultation statement before adoption of the SPD, this must set out who was consulted, a summary of the issues raised, and how these issues were incorporated in to the SPD.

- b) Publish the documents for a minimum 4 week consultation, specify the date when responses should be received and identify the address to which responses should be sent.
- c) Make documents available by taking the following steps:
 - i) Make the document available at the principal office and other places within the area that the Council considers appropriate; and
 - ii) Publish the document on the Council's website.

12. The consultation will follow the Council's Statement of Community Guidance. However, as result of the current Government advice it will not be possible to make the document available at the Civic Centre and libraries. Consequently the SPD and other documents will be made available on request and on the website. Should "lockdown" rules change the documents will be made available at the usual places.

13. Planning Services will use its consultation database to inform consultees, in particular developers and registered providers of the SPD, allowing six weeks consultation rather than four to take into account Covid-19 restrictions.

IMPLICATIONS

Environment and Planning (Includes Sustainability)

As contained within the report.

Author: Andrew Bramidge, Head of Environment and Planning

Finance (Includes ICT, and Property and Facilities)

None Specific.

Author: Simon Freeman, Head of Finance and Property and Deputy to the Chief Executive

Housing

The Council will need to develop local policies to support the policy framework, ensuring rent policies remain affordable to local residents in meeting housing need, aligned to updated Housing and Regeneration Strategies.

Author: Andrew Murray, Head of Housing

Community Wellbeing (Includes Equalities and Social Inclusion)

The Affordable Housing SPD will help secure the maximum provision of affordable housing in Harlow.

Author: Jane Greer, Head of Community Wellbeing

Governance (Includes HR)

The Council is following the statutory process for this consultation save the requirement to place physical copies on deposit. Extending the minimum period and making copies available on request is a reasonable course of action. Separate advice has been given on the timing of the consultation.

Author: Simon Hill, Head of Governance

Appendices

Appendix A – Draft Affordable and Specialist Housing Supplementary Planning Document 2021

Background Papers

Harlow Local Development Plan Adopted December 2020

<https://moderngov.harlow.gov.uk/documents/s17130/Appendix%20%20-%20Harlow%20Local%20Development%20Plan.pdf>

Glossary of terms/abbreviations used

SPD – Supplementary Planning Document

SHMA - Strategic Housing Market Assessment