



# APPENDIX B: CONSULTATION STATEMENT

## Affordable Housing and Specialist Housing Supplementary Planning Document 2021



## **1. Background**

- 1.1. The Harlow Local Development Plan (HLDP) was adopted by the Council on 10th 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.
- 1.2. 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.
- 1.3. The Plan contains policies for provision of Affordable Housing; Accessible and Adaptable Housing; and Self-Build and Custom-build Housing (The SPD).

## **2. Introduction**

- 2.1. The Town and Country Planning (Local Planning) (England) Regulations 2012 require a local planning authority to consult the public and stakeholders before adopting a Supplementary Planning Document (SPD).
- 2.2. This statement sets out details of the consultation which has informed the preparation of the SPD.
- 2.3. The purpose of the SPD is to aid the effective implementation of the policies in the District Plan in particular policies H8 Affordable Housing; H5 Accessible and Adaptable Housing and H9 Self-build and Custom-build Housing. Once adopted the SPD will be a material consideration in planning decisions.

## **2. Town and Country Planning Regulations**

- 3.1. The SPD is produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The relevant regulations relating to the consultation process are set out below.
  - Regulation 12:
    - (a) Requires the Council to 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. (This document).
    - (b) Requires the Council to 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.
  - Regulation 35:

This requires the Council to make documents available by taking the following steps;

    - Make the document available at the principal office and other places within the area that the Council considers appropriate;
    - Publish the document on the Council's website.

## **3. Statement of Community Involvement (SCI)**

The Council's current SCI was adopted in 2014 following public consultation and sets out how and when we will involve local people in preparing, altering and reviewing our planning policies, plans and decisions. The SCI sets out that SPD's should be subject to a four-week public consultation, as required by the regulations.

#### **4. Consultation undertaken**

The SPD was approved for public consultation by Cabinet on the 25 February 2021. Formal public consultation was postponed until after the local government elections. Consultation commenced on 25 May 2021 on the draft SPD for a period of six weeks finishing on 30 June 2021. The period of consultation was extended to six weeks rather than four to take into account Covid-19 restrictions at the time.

Consultation was undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Statement of Community Involvement. Consultees were consulted by email; or post where no email address was provided. The consultation was also advertised via the Council's website and the Guardian newspaper circulating in the area.

In addition to those consulted under the regulations and SCI groups and individuals were consulted that had a special interest in the policy areas, or had expressed a wish to be kept informed on any Local Plan related consultations. These included:

- Specific Consultation bodies – e.g. parish council's, county council
- General Consultation bodies – e.g. political parties, HGGT
- Developers in the local area
- Registered Providers
- Local plan database – those who expressed an interest in local plan matters

A list of all those consulted is provided in Appendix A.

Representations made were emailed to the council via a unique email address set up for the consultation. A total of 6 representations were received. These representations were from:

- Harlow Alliance
- The Environment Agency
- Natural England
- Historic England
- Essex County Council
- North Northamptonshire Council

In addition councillors of the Local Plan Panel were asked for their comments. Amendments were made to the draft SPD before formal consultation began.

#### **5. Summary of issues raised during the consultation**

During the consultation 19 representations were received, made by 6 respondents. Of the representations, the majority were generally in support of the SPD or supported particular elements, other representations made constructive suggestions for amendments to elements within the SPD. One representation from another Council requested advice.

The main issues raised through the consultation include amongst others:

- The HGGT should not be able to influence decisions within Harlow
- Bungalows should be included in house type.
- More detail needed on typical family incomes
- To be more prescriptive in terms of monies provided in lieu of affordable housing
- Unlikely to have major effects on the natural environment.
- Increase in private specialist schemes for elderly people, signpost to ECC for advice
- Additional references to strengthen the principles of accessible and inclusive design..

- To reference the new government initiative of “First Homes”
- To reference the scale of the forecast increase in elderly people
- Amplify how specialist accommodation can be incorporated in development proposals

A summary of the consultation representations is set out in the schedule below. This schedule outlines the comments by consultation group, the Council’s response to these issues and any consequential changes to the SPD. If text is to be deleted from the draft SPD it is shown ~~struck through~~. If new text is to be inserted it is shown underlined.

## Schedule of Representations

Rep Number - Representing	Topic/Section/Paragraph.	Support/Object/Neutral	Summary of representation	Officer Response	Proposed Modification
Specific Consultation Bodies					
Essex County Council	Section 1 Paras 1.8-1.11	Neutral	We are seeing more private specialist housing schemes for older people being proposed around the county that would benefit from local policy guidance. We would encourage the SPD's scope to be broadened to include guidance to inform decision making on private specialist housing schemes for older people. If this is not possible, we would welcome the signposting of applicants of such schemes towards early engagement with ECC.	At this stage there are no plans to develop local policy guidance as suggested. However for the purposes of this SPD, it can be amended to reference the guidance that ECC can provide.	New Paragraph: 2.21. <u>Essex County Council has adopted its own Housing Strategy in recognition of the wide array of areas that our services and functions interact with housing. Applicants can get additional advice and guidance from Essex County Council – Place and Public Health.</u>
	Paras 1.8-1.11	Support	We support the Council's aspiration to improve the accessibility and adaptability of general market housing by mandating the Building Regulation Part M(2) standard and requiring that new developments deliver a suitable proportion of Part M(3) dwellings.	The Support is welcomed	No change from this representation
	Section 1 Paras 1.8-1.11	Neutral	We encourage the Council to work with ECC's Adult Social Care team in the commissioning of new evidence to support these policies.	The policies have been adopted based on the evidence presented at the time. New evidence will be used to formulate policy in a full review of the Local Plan	No change from this representation
	Section 1 Paras 1.8-	Neutral	There is an opportunity to reference the principles of	The Council is in the process of preparing an addendum to the adopted Harlow	New Paragraph: 2.63. <u>Along with the Harlow Design</u>

## Schedule of Representations

	1.11		accessible and inclusive urban design. E.g. including the Harlow Design Guide and other documents such as the RTPI's Dementia and Town Planning. Such an approach could be linked with the NHS Health Towns initiative at Harlow Gilston Garden Town	Design Guide SPD. The adopted SPD makes reference to the requirements of inclusivity by design. However the SPD will be edited to point developers in the direction of the documents suggested	<u>Guide applicants may wish to research other guidance, for example the Royal Town Planning Institutes "Dementia and Town Planning"</u>
	Section 2 Para2.21	Support	sets out the requirement for developers to submit an Affordable and Specialist Housing Statement as part of a planning application. We strongly support this requirement	The Support is welcomed	No change from this representation
	Para 2.21	Neutral	More information on the level and type of care proposed alongside anticipated fee structures for private specialist accommodation proposals.	It is considered that this level of detail would not be required at the application stage	No change from this representation
	Para 2.26-2.27	Neutral	It may be helpful to include an example tenure split for a hypothetical 100-unit development to aid interpretation. Whilst this is not a direct concern for ECC it will likely be challenged by developers	At this stage the impact of First Homes in Harlow, will be undertaken when the SPD is reviewed	No change from this representation
	Para 2.46-49	Neutral	it would be helpful if this section referred to discounted market housing as 'First Homes' given its recent adoption into national planning policy. This section should also mirror national guidance including changing the minimum	Agreed that this section should now reference First Homes. However it is the Council's intention to seek additional evidence to refine the First Home requirements to better reflect the Harlow situation. An addendum to this SPD can be produced setting out these additional requirements.	New Paragraphs: <u>2.51. First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes. Specifically, First Homes are discounted market sale units which:</u>

## Schedule of Representations

			discount from 20% to 30%		<p><u>a) must be discounted by a minimum of 30% against the market value;</u>  <u>b) are sold to a person or persons meeting the First Homes eligibility criteria (see below);</u>  <u>c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,</u>  <u>d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).</u></p> <p><u>2.52. 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.</u></p> <p><u>2.53. The Council intends to publish an addendum to this SPD to give additional guidance to the Council's requirements for First Homes based on evidence reflecting Harlow's needs where this can be applied.</u></p>
	Paras 2.54-56	Support	Strongly support the Council's ambition to integrate affordable housing with market housing in an indistinguishable way including using the same designs and materials. We would also support a	The Support is welcomed	No change from this representation

## Schedule of Representations

			commitment to providing affordable homes with the same space standards as market housing		
	Paras 2.57-59	Support	support the requirement for all homes in Harlow District, whether affordable or market housing, to be built to Building Regulation M4(2) standards. We also support the requirement to reflect local demand for wheelchair accessible dwellings (M4(3) standards) as evidence in the Strategic Housing Market Assessment.	The Support is welcomed	No change from this representation
	Para 2.84	Neutral	Paragraph may need updating in light of First Homes' incorporation into national policy	Paragraph will be updated to have regard to the recently adopted First Homes policy from MHCLG.	New Bullet point in paragraph 2.88 (formally 2.84) <ul style="list-style-type: none"> <li>• <u>First Homes including;</u> <ul style="list-style-type: none"> <li>○ <u>The use and sale of the property,</u></li> <li>○ <u>securing the delivery of the First Homes</u></li> <li>○ <u>Legal restriction is registered onto a First Home's title on its first sale</u></li> <li>○ <u>Application of eligibility criteria</u></li> </ul> </li> </ul>
	Section 3 Para 3.7	Support	We support the inclusion of reference to the sharing of care facilities with different client groups	The Support is welcomed	No change from this representation
	Para 3.8-9	Support	We support the Council's ambition to deliver affordable specialist accommodation via the planning system	The Support is welcomed	No change from this representation
	Para 3.11	Support	We welcome the reference to	The Support is welcomed	No change from this representation

## Schedule of Representations

			recent Planning Policy Guidance changes that place greater emphasis on delivering independent living housing.		
	Para 3.11	Neutral	We recommend highlighting that client groups for specialist accommodation, including independent living, can include adults with learning disabilities, autism (and other mental health conditions), and/or physical or sensory impairments.	For the purposes of this SPD, it can be amended to reference the guidance that ECC can provide.	New sentence added to para 3.5 ....who need regular care and support. <u>Applicants can get additional advice and guidance on from Essex County Council's Adult Social Care team on independent living, can include adults with learning disabilities, autism (and other mental health conditions), and/or physical or sensory impairments for example.</u>
	Para 3.17	Neutral	This paragraph would probably be better located in the dedicated viability section earlier in the document.	Agreed	Para 3.17 moved after para 2.99
	Paras 3.19	Neutral	Use of an 'old age dependency ratio' with figures of 242.8 for Harlow compared to 286.8 for England. It is not clear how this ratio is calculated – can it be explained, or a different measure used, for example the percentage proportion of older people in the district as against county, region and national comparators	Noted, however, a footnote explains source	No change from this representation
	Paras 3.19-22	Neutral	Ought to make clear the scale of the forecast increase in older people in Harlow to 2033 which should be ~30% across all three age groups considered (>65; >75; >85). Therefore, there is a need to ensure an adequate priority policy response. There	An SPD does not allow the introduction of new or altered policy which this representation alludes to.  More emphasis on the impact of the growing elderly population is acknowledged.	New sentence added to para 3.18 .....Harlow is growing. As a former New Town wherein the population profile was much younger, this ageing population has a significant impact on infrastructure.

## Schedule of Representations

			is a similar point with para 3.26 – 10% of HDC residents (18-64 years) with a moderate/serious disability. These could be responded to effectively through a greater emphasis on requirements (or encouragement of) for the provision of accessible and adaptable homes.		
	Paras 3.23-25	Support	We support these paragraphs including the inclusion of modelling data from the Housing LIN @SHOP tool albeit the most recent modelling suggests that there is a need for 160 extra care units rather than the 146 stated.	The Support is welcomed, change figure in paragraph-	Paragraph 3.25 ..... estimates that there is a current need for <del>146</del> <u>160</u> units of Extra Care in Harlow
	Paras 3.23-25	Neutral	This should reference the importance of early engagement with ECC's Adult Social Care team to ensure that proposals adequately meet the care and support needs of the identified residents.	A recommendation to developers to engage with Adult Social Care Team can be referenced.	Reference to this has been made in changes to paragraph 3.5 and new paragraph 2.21
	Para 3.29	Support	Welcome the commitment to consult with ECC but would encourage inclusion of '...at the earliest opportunity to seek their...' to ensure that discussions are as comprehensive and constructive as possible	The Support is welcomed	No change from this representation
	Para 3.30	Neutral	This section could be strengthened by setting out how specialist accommodation should be integrated into	Additional wording will be added to the SPD to expand on this point	New Paragraph 3.31 <u>Specialist accommodation should be fully integrated into development</u>

## Schedule of Representations

			development proposals.		<u>proposals. For example, proposals should be located within neighbourhood centres (or within close proximity by accessible and safe routes) to ensure that residents form part of local communities. Proposals should also be located close to public transport networks wherever possible to allow both residents and care staff to access the site in a sustainable and convenience way.</u>
	Section 4 Paras 4.6-9	Support	Support the Council's ambition to deliver self or custom build homes on sites over 50 dwellings in capacity.	The Support is welcomed	No change from this representation
The Environment Agency		Neutral	No Comments to make on the SPD		No change from this representation
Natural England	General	Neutral	The topic this SPD covers is unlikely to have major effects on the natural environment, but may nonetheless have some effects. We therefore do not wish to provide specific comments,	No Comment	No change from this representation
	General	Neutral	Could consider making provision for Green Infrastructure (GI) within development. This should be in line with any GI strategy covering your area.	A Green Infrastructure Structure Plan will be prepared, in the interim the Harlow Design Guide SPD and Adopted Local Plan policy should insure provision of green infrastructure at a local level	No change from this representation
	General	Neutral	Could consider incorporating features which are beneficial to wildlife within development,	Harlow Design Guide SPD and Adopted Local Plan policy should insure features beneficial to wild life in developments	No change from this representation
	General	Neutral	Provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built	Harlow Design Guide SPD and Adopted Local Plan policy should insure enhancement surrounding natural and built environment.	No change from this representation

## Schedule of Representations

			environment; use natural resources more sustainably; and bring benefits for the local community		
	General	Neutral	The NPPF includes a number of design principles which could be considered	No comment	No change from this representation
Historic England			No Comments to make on the SPD	No comment	No change from this representation
General Consultation Bodies					
Harlow Alliance	Para 2.11		The main purpose of HGTP is to control developments on land in Hertfordshire and Epping they should not have any influence on decisions made within Harlow's boundary.	The Harlow and Gilston Garden Town was designated as a Garden Town by the Department for Homes, Communities and Local Government in January 2017 and comprises new and existing communities <u>in</u> and around Harlow. Indeed a major strategic site which is part of the Garden Town is within the district boundary.	No change from this representation
	Para 2.25 Table 1	Objection	Table does not include bungalows in its house type. . We therefore feel that small bungalows should be included in the house types table.	The table sets out data from the Strategic Housing Marketing Assessment used as evidence for the adopted Local Plan. This did not indicate type except house or flat. The evidence does not set out any ratio for bungalows.	No change from this representation
	Para 2.46	Object	It is suggested that the discount relates to a typical local family income. There needs to be more detail as to what is typical of families living in Harlow	An additional paragraph has been added to highlight affordability issues in Harlow and where additional information can be sourced.	New paragraph 2.50 <u>2.50. Harlow has a real housing affordability issue. Applicants should refer to the Housing Strategy and published housing data such as NOMIS on Harlow resident's average income, average house price data to establish latest affordability (income to house price ratio) and the level of discounts that should be applied to enable residents to be able to afford these homes</u>

## Schedule of Representations

	Para 2.72		The council should be more prescriptive for the need to provide monies in lieu of the affordable housing. Therefore the word ' may' should be replaced with the word 'will'	The "may" in this paragraph allows for consideration of off-site contributions on a case by case basis, when considering if additional contributions are required.	No change from this representation
<b>Other</b>					
North Northamptonshire Council	General	Neutral	I note your SPD then states that developers should contact the Council to establish demand and then meet that demand accordingly. I am slightly concerned that this approach would not provide sufficient guidance.	The modifications to the Plan specifically required us to include self-build as part of the mix of housing types and tenures which will meet Harlow's needs. Evidence that the Inspector cited was the SHMA, or other additional appropriate evidence directly related to Harlow's housing need.	No change from this representation
<b>Developers</b>					
			No representations made to consultation		
<b>Local Plan Database</b>					
			No representations made to consultation		
<b>Registered Providers</b>					
			No representations made to consultation		

## APPENDIX A – List of those consulted

The following organisations were directly notified of the draft Affordable Housing SPD in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). It should be noted that 150 individuals and other organisations on the planning policy consultation database were also consulted, but are not listed.

### Specific Consultation bodies

Eastwick and Gilston Parish Council  
Hunsdon Parish Council  
Uttlesford District Council  
Environment Agency  
Sawbridgeworth Town Council  
Home Builders Federation  
Essex County Council  
Affinity Water Ltd.  
Anglian Water  
Broxbourne Borough Council  
EDF Energy Networks  
Epping Forest District Council  
Essex Police  
Greater AngliaRail  
South East LEP c/o Essex County Council  
Highways England  
Historic England  
Homes and Communities Agency  
Lee Valley Regional Park Authority  
National Grid  
Natural England Mail Hub  
Network Rail  
NHS West Essex CCG  
Police, Fire and Crime Commissioner  
Stansted Airport  
Thames Water  
Church Commissioners  
Diocese of Harlow  
East of England Ambulance Service NHS Trust  
Harlow Alliance Party  
Network homes  
Sport England  
Age UK  
The Church of England in Essex

The Civil Aviation Authority  
The Princess Alexandra Hospital NHS Trust  
Hertfordshire County Council  
North Weald Bassett Parish Council

### General Consultation bodies

National custom and self build association  
Harlow and Gilston Garden Town  
Building Research Establishment  
The Labour Party  
Harlow – Streets2Homes  
East of England Local Government Association  
Harlow and Gilston Garden Town  
National Federation of Gypsy Liaison Groups  
CDA for Herts  
CPRE Essex  
The Conservative Party  
Canal & River Trust  
RSPB  
Harlow and Gilston Garden Town  
The Liberal Democratic Party  
British Telecommunications plc  
CABE

### Developers in the local area

Persimmon Homes Essex  
Barratt North Tames, Taylor Wimpey East London and Persimmon c/o Agent  
Boyer Planning  
HTA Design LLP  
Hybrid Planning & Development  
Kier Living Eastern Limited  
Caridon Developments Ltd  
Lichfields  
Rolfe Judd Planning Ltd  
Grafik Architecture  
Countryside Partnership Ltd (South)  
Countryside Properties Ltd c/o Agent: - Barker Parry Town Planning  
BRD Tech Ltd  
Collins & Coward  
Weston Homes  
Linden Homes  
Croudace Homes  
Savills  
Fairview New Homes

### Registered Providers

Sage Housing  
CHP  
Home Group

## **APPENDIX A – List of those consulted**

Sanctuary Homes

Moat Housing

Anchor Housing

L&G Affordable Homes

Windrush Housing Association

Heylo Housing