

Home Builders Federation

Matter 3

THANET LOCAL PLAN EXAMINATION

Matter 3 – Affordable Housing Need

Issue 1 – Definition of Affordable Housing

Q1. Does the Plan include a definition of affordable housing? If not, to be effective should one be included?

We consider it important that the Council amends its policy to reflect the definitions of affordable housing within the 2019 NPPF. Whilst we recognise that the plan is not being examined against the 2019 NPPF, it will be delivered under the new Framework such a change would ensure clarity and consistency with future policy as well as supporting effective decision making.

Issue 3 – Viability

Q1. The Thanet District Council Local Plan and CIL Viability Assessment indicates that for schemes on previously developed land, where development costs are typically higher than greenfield sites, the affordable housing target could be lowered to 20% (paragraph 3.12.3). With this in mind, what is the justification for a 30% target across all development types and locations? Is Policy SP20 justified?

The Council's Viability Assessment (CD1.3) concludes in paragraph 3.5.28 and 3.5.41 that the viability of housing development on PDL sites in urban areas are poor and at best marginal with a requirement to provide 30% of dwellings as affordable housing. This evidence would suggest that the policy is unjustified as it would threaten the ability of a development to be viable and as such be contrary to paragraph 173 of the 2012 NPPF. The Council is relying on a significant proportion of its development to come forward on non-strategic sites in the urban areas of Thanet and the Council should be seeking to ensure through its policies that such sites come forward rapidly and without the need for lengthy negotiation or further evidence on viability.

Whilst we recognise that the local plan is being examined against the 2012 NPPF it will be delivered under the 2019 NPPF, which places far greater emphasis on the viability testing of the local plan. The Government's position, as established in



paragraph 57 of the NPPF, is that the cumulative burden of policy requirements should be set so that most development is deliverable without further viability assessment and negotiation. The Council's viability study clearly sets out that a single 30% affordable housing target is "aspirational" target that will require negotiation where necessary. The study goes on to state that the approach taken forward by the Council will potentially result in more frequent negotiations. We are, therefore, concerned that in relation to housing development on previously developed land (PDL) there will need to be negotiation on a site by site basis.

Given that the Council's own evidence is suggesting that there will need to be negotiation indicates that in delivering this plan decision makers will not be able to assume that development that complies with the local plan is viable. Therefore, it is highly likely that viability negotiations will be routinely rather than exceptionally undertaken. The plan will rely on negotiation to deliver sites on PDL and, if decision makers are minded to apply paragraph 57 and assume that all development should be viable at 30%, this could result in unnecessary viability assessments and appeals.

We would recommend that the policy is amended to either set a differential policy requiring 20% affordable housing on PDL and 30% affordable housing on greenfield sites or a flat policy of 25% affordable housing.

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