

**Report to:** Cabinet

**Date:** 2 July 2018

**Title:** Affordable Housing Supplementary Planning Document (SPD)

**Report of:** Strategic Policy Officer

**Cabinet member:** Councillor Tom Jones (Cabinet member for Planning)

**Ward(s):** All wards outside the National Park

**Purpose of report:** To seek Cabinet endorsement of the Affordable Housing Supplementary Planning Document (SPD) for formal adoption at Full Council on 16 July 2018.

**Decision type:** Budget and policy framework

**Officer recommendation(s):**

(1) That Cabinet endorse the Affordable Housing SPD as set out in Appendix 3, and recommend its adoption by Full Council.

(2) That Cabinet delegate authority to the Director of Regeneration and Planning in consultation with the Cabinet portfolio holder to make any minor or technical adjustments found necessary in the Affordable Housing SPD before it is presented to Full Council.

**Reasons for recommendations:**

(1) There is an ongoing and increasing need for the provision of affordable housing in the Lewes District, as rent costs and the price of home ownership rises.

(2) There are challenges regarding the delivery of affordable housing. A significant proportion of affordable housing is delivered through the planning system. The Affordable Housing SPD will provide the Council with a policy reference point with weight during negotiations, better enabling the Council to deliver much needed affordable dwellings.

(3) The SPD builds upon and provides more detailed advice and guidance on Core Policy 1 and Core Policy 2 of the Lewes District Local Plan Part 1 – Joint Core Strategy (2016). This will provide developers and housing providers with a useful reference point, making the planning process more efficient and effective

**Contact Officer(s):**      **Name: Anthony Howell**  
**Post title: Policy and Engagement Co-ordinator**  
**E-mail: [Anthony.howell@lewes-eastbourne.gov.uk](mailto:Anthony.howell@lewes-eastbourne.gov.uk)**  
**Telephone number: 01273 085355**

---

## Information

### 1. Introduction

- 1.1 There is an ongoing need for the provision of affordable housing in the Lewes District. Census data demonstrates that overall, households within the district experienced a decrease in home ownership from 2001 to 2011, both in percentage of all households and number. The number of households renting in the private sector doubled over the period, with the percentage of households privately renting almost doubling. The increasing reliance on the private rented sector is likely to cause the cost of renting to increase and hinder those on relatively lower incomes to access housing in this sector. The Lewes District Local Plan Part 1 – Joint Core Strategy (2016) explains that long term pressures of housing supply and affordability remain.
- 1.2 A significant proportion of affordable housing is delivered through the planning system. As part of planning permissions, Local Plan policy requires that applicants for housing developments make a contribution towards the delivery of affordable housing, either onsite or elsewhere in the district.
- 1.3 To provide a detailed explanation in support of the implementation of Core Policy 1 and Core Policy 2 of the Local Plan, and in reference to changes in national policy and updated information on development viability, Lewes District Council has prepared an Affordable Housing Supplementary Planning Document to set out the position relating to affordable housing contributions sought from development.
- 1.4 A Supplementary Planning Document (SPD) is a planning policy document that builds upon and provides more detailed advice or guidance on the policies in a Local Plan. SPDs are material planning considerations in the determination of planning applications.
- 1.5 The Affordable Housing SPD provides detailed explanation in support of the implementation of Core Policy 1: Affordable Housing, and Core Policy 2: Housing Type, Mix and Density of the Lewes District Local Plan Part 1 – Joint Core Strategy 2010 - 2030 (adopted 2016). It contains advice relating to the standards required of the range of residential sites in order to deliver the affordable housing necessary to meet local needs.

- 1.6 A draft Affordable Housing SPD was published for consultation with the local community and other stakeholders for an 8 week period between 30 November 2017 and 25 January 2018. The results of the consultation are detailed in this report.
- 1.7 The Affordable Housing SPD now needs to be adopted by Full Council, following endorsement from Cabinet. Once adopted, the Affordable Housing SPD can be used to help secure affordable housing contributions from development.

## **2. Background**

- 2.1 The Lewes District Local Plan Part 1 – Joint Core Strategy contains Core Policy 1: Affordable Housing, which required a district wide target of 40% affordable housing from developments of 10 or more dwelling units. The policy also required that for developments of less than 10 units, affordable housing would be sought according to a stepped target which begins at 3 units. The level of affordable housing contribution may be determined on a site by site basis where justified by market and/or site conditions, where the local planning authority is satisfied by robust financial viability evidence that development would not be financially viable at the relevant target level.
- 2.2 However, in November 2014 the Government published a Written Ministerial Statement (WMS) whereby developments of less than 11 units would be exempt from affordable housing contributions. This position has since been transposed into national planning guidance.<sup>1</sup> This means that Core Policy 1 could no longer be implemented as it was originally intended and contributions could only be sought from developments of 11 units or more.
- 2.3 The Affordable Housing SPD presents Lewes District Council's position regarding affordable housing, explaining the type of affordable housing to be sought, the indicative values used to calculate commuted sums, how any commuted sum payments will be calculated, takes account of the changes to the contribution thresholds, and also explains the considerations which will be taken into account when assessing the viability of development.
- 2.4 The Affordable Housing document previously took the form of a Policy Guidance. The Policy Guidance was consulted on from 1 September to 13 October 2016, and from 2 February to 2 March 2017. From these consultations, and with reference to the upcoming consultation for the Lewes District Local Plan Part 2, it is now thought that adoption of the Affordable Housing document as a Supplementary Planning Document would provide the Council with a detailed approach to compliance with policy, carrying weight

---

<sup>1</sup> Paragraph: 031, Reference ID: 23b-031-20161116. <https://www.gov.uk/guidance/planning-obligations>

during negotiations, enabling a more efficient planning system and contributing to the efforts of the Council to deliver much needed affordable homes.

### **3. Approach to Affordable Housing Contributions**

- 3.1 National Planning Practice Guidance is clear that planning obligations, including those in the form of affordable housing contributions, should not prevent development from coming forward.<sup>2</sup>
- 3.2 In order to take account of development viability, the Affordable Housing SPD divides the District into 'High Value' and 'Low Value' Market Areas, based on research by the District Valuation Service and which reflects the disparity between house prices and impacts on the viability of development.
- 3.3 Since the introduction of the national threshold, an affordable housing contribution will be required where a development results in the creation of 11 or more residential units. The strong presumption is that the affordable housing contribution will be delivered on-site, unless off-site provision or a financial contribution (commuted sum) in lieu of on-site provision can be robustly justified.
- 3.4 Through Core Policy 1, the starting point for affordable housing contributions is set at 40% on developments of 11 or more units, in both 'High Value' and 'Low Value' Market Areas. For example, for a development of 15 residential units, the affordable housing contribution would be 6 affordable units (40% x 15 units = 6 units).
- 3.5 Where evidence proves this level of contribution will not result in a viable development, the contribution can be negotiated to a level that will enable the development to be viable.
- 3.6 The Affordable Housing SPD sets out:
  - Policy requirements for the delivery of affordable housing on all residential development sites;
  - Type and standard of affordable housing that is likely to be sought;
  - Assessment of financial viability of the development;
  - Calculation of any commuted sum payments;
  - Delivery agencies for the affordable housing.

---

<sup>2</sup> Paragraph: 004 Reference ID: 23b-004-20150326. <https://www.gov.uk/guidance/planning-obligations>

## **4. Planning Application Process**

- 4.1 The SPD provides a detailed summary of the stages involved in seeking affordable housing contributions, from the pre-application stage through to submission and determination of a planning application.
- 4.2 Applicants are encouraged to undertake pre-application discussions to discuss financial viability to deliver the affordable housing requirements. During these discussions, regard will be made to:
- The viability of development, considering the need and cost of supporting infrastructure on and off the site and any unavoidable and necessary site remediation to resolve environmental hazards;
  - The location and character of the site;
  - The tenure of affordable housing and type of dwelling units required in relation to the housing needs and the viability of specific developments;
  - The current availability of affordable housing in the local area when measured against demand for such accommodation; and
  - Any updated national policy and/or guidance to be implemented.
- 4.3 If a developer considers that the mandatory requirements of the affordable housing policy cannot be met on a particular site, the representation must be justified in an evidenced and 'open-book' financial viability assessment and supporting statement, including all necessary information to demonstrate and justify residual values. If the independent opinion of a viability expert is required to corroborate the evidence, this cost will be at the expense of the applicant.

## **5. Commuted Sums**

- 5.1 If it is not possible to deliver affordable housing on-site or off-site, or if the required contribution results in a percentage of an affordable unit to be delivered, then a commuted sum payment will be considered. The SPD sets out how commuted sums will be calculated.
- 5.2 The SPD sets out an affordable housing payment table, which identifies the required financial contribution per square metre for different types and sizes of development, arranged by market value area. This is used to calculate the total financial contribution required to contribute to affordable housing.

## **6. Delivery**

- 6.1 The Regulator of Social Housing (RSH) is responsible for registering and regulating providers of social housing. RSH maintain a Statutory Register of

Providers of Social Housing (the register), which lists private (both not for profit and for profit) and local authority providers. However, Lewes District Council is willing to work with housing providers which are not registered with RSH as well as those housing providers which are registered with RSH, in order to maximise the opportunities to provide affordable housing in the Lewes District. Affordable housing should be delivered by housing providers that have a strong stake within the Lewes District area. The choice of housing provider should be agreed upon by the developer with the Council.

- 6.2 For all planning applications where an affordable housing requirement has been agreed, applicants will be required to sign a Section 106 Agreement. The purpose of the agreement is to ensure the affordable housing complies with the Council's housing and planning policies, to help ensure that affordable housing is offered to local people most in need, and to require that affordable housing is retained as affordable housing in the future.

## **7. Consultation**

- 7.1 A Draft SPD was published for consultation for an 8 week period between 30 November 2017 and 25 January 2018. During the consultation on the Affordable Housing SPD, a total of seven representations were received. This included representations from Ringmer Parish Council; Historic England; CPRE Sussex; Peacehaven Town Council; the South Downs National Park Authority; Tetlow King Planning on behalf of Rentplus UK Ltd; and one individual.

- 7.2 The representations and the recommended officer responses to the representations are contained in Appendix 1. A schedule of changes recommended in light of those representations is provided as Appendix 2. An amended version of the Affordable Housing SPD as a result of the recommended changes is provided as Appendix 3. A summary of the main issues raised during the consultation is provided below.

### **7.3 Emerging South Downs National Park Authority Policy**

- 7.3.1 A representation raised the concern that it was not clear within the SPD that all relevant developments that take place within the South Downs National Park (SDNP) will be subject to policies set out in the South Downs Local Plan.
- 7.3.2 The emerging South Downs National Park Authority affordable housing policy will differ from Core Policy 1 of the Lewes District Local Plan Part 1 – Joint Core Strategy (2016), in terms of thresholds and the number of affordable housing units sought. To explain this within the SPD would clarify matters and help to avoid confusion, assisting an efficient and effective planning process.

7.3.3 Therefore it is considered that the SPD should clearly state that all relevant developments within the SDNP will be subject to policies set out in the South Downs Local Plan, once adopted. To add further clarity, it would be beneficial to delete references to the SDNP and 'designated rural areas (i.e. the National Park part of Lewes District)'.

#### 7.4 Dwelling Mix

7.4.1 Three representations raised the concern that the dwelling mix set out in the SPD may be too prescriptive and would not be suitable for particular areas of the district.

7.4.2 The SPD sets out an expectation for the dwelling mix of affordable housing units within each development. Evidence from the Housing Register generally points to a need for approximately 50 per cent of dwellings to be one bedroom for example, across the district and often in the case of rural areas.

7.4.3 However, it is accepted that setting out the expected dwelling mix may appear too prescriptive and may seem to neglect local circumstances at the parish or town level. Therefore, the SPD should be sufficiently flexible to accommodate local circumstances and improve the provision of affordable homes in line with the needs of the local community.

7.4.4 As such, it is considered that the SPD should be amended to make clearer the intention of the local planning authority to negotiate the appropriate dwelling mix on a site by site basis based upon the latest evidence of needs in the site locality.

#### 7.5 Definition of Affordable Housing

7.5.1 Two representations raised a concern about the definition of 'affordable housing'. One queried whether the figures were accurate and asked whether the housing cost figures would be amended to include the costs of highways infrastructure.

7.5.2 The SPD necessarily covers something of a niche area and has not been formulated as a catch all document. It is not within the scope of the Affordable Housing SPD to consider issues relating to highways infrastructure, for example.

7.5.3 The market price of each type of housing was independently assessed by the District Valuation Service in summer 2016, and is based on the average sales values for open market values in both high value and low value market areas. It is therefore considered that the information set out in the SPD is an accurate reflection of local circumstances.

- 7.5.4 One representation noted the Government has been proposing changes to the definition of affordable housing which is soon due to be formalised in the publication of a revised NPPF. The Council should be mindful that the definitions set out in the SPD may require revision in the near future to reflect the latest national policy definitions.
- 7.5.5 The Council is mindful that the Government has been proposing changes to the definition of affordable housing, and that the definitions set out in the SPD may require revision to reflect the latest national policy definitions, once finalised and in place.
- 7.5.6 The SPD has been developed to be sufficiently flexible enough to accommodate changes to national and local policy. The SPD will be reviewed regularly and in reference to changes to national policy, local policy and local evidence. Therefore, it is considered that by reviewing the document regularly, this will enable any further definitions to be included within the SPD, when and if necessary.

## 7.6 Space Standards

- 7.6.1 A representation raised the concern that the Council will seek to impose the nationally described space standards through the SPD, and this is not appropriate as the Planning Practice Guidance specifically allows for the standard to be introduced through Local Plan policies alone. The Core Strategy states at paragraph 7.24: 'Specific standards for each type and size of dwelling are not proposed so as to ensure flexibility to meet the identified local need as this may change over time and/or differ by location.'
- 7.6.2 The SPD explains that it should be used as a guidance tool from the earliest stages of the development process of any site. The SPD also explains that the Council's planning team will advise on the exact tenure, type and size split on each site through pre-application discussions ' With reference to this, the nationally described space standards will not be imposed through the SPD. The nationally described space standards are seen as a guidance and general expectation, which can be discussed for each development.
- 7.6.3 However, it is considered that to avoid confusion, the SPD can further explain and explicitly state that the nationally described space standards not a stipulation, but are a guideline for space provision in housing development, including affordable housing, to ensure that development protects the residential amenity of existing and future residents.



## **8 Conclusion**

- 8.1 The Affordable Housing SPD has been prepared to provide detail on the implementation of Lewes District Local Plan Part 1 – Joint Core Strategy 2010 - 2030 (adopted 2016) policies Core Policy 1: Affordable Housing, and Core Policy 2: Housing Type, Mix and Density, specifically in relation to affordable housing contributions.
- 8.2 Public consultation was undertaken on a draft Affordable Housing SPD, resulting in seven representations being received. As a result of these representations, a number of modifications to the Affordable Housing SPD are recommended.
- 8.3 In order for the Affordable Housing SPD to be formally adopted, it requires approval from Full Council. Cabinet are requested to endorse the Affordable Housing SPD and recommend to Full Council that the Affordable Housing SPD be formally adopted.

## **9 Financial Appraisal**

- 9.1 There are no financial implications to the Council as a direct result of this report. The cost of the publication of the Affordable Housing SPD will be met from the service budget.

## **10 Legal Implications**

- 10.1 The Affordable Housing SPD has been prepared in order to comply with Regulations 12 and 13 of the Town & Country Planning (Local Planning) (England) Regulations 2012, and with regard to the requirements of the National Planning Policy Framework.
- 10.2 Regulation 12 requires that before the SPD is adopted, a statement setting out details of those consulted when preparing the SPD, together with a summary of the main issues raised, must be prepared. Any relevant issues raised during the consultation will need to be addressed in the SPD. The Statement of Consultation is a background paper to this report.
- 10.3 Following adoption, there is a three month period where any person aggrieved by the decision to adopt the SPD may make an application to the High Court for judicial review. Any application for judicial review should be made promptly and in any event, no later than 3 months after the date of adoption (i.e. no later than 17 October 2018). Legal Implications Provided 06.06.18 - 6543-LDC-JCS

## **11 Risk Management Implications**

11.1 The Council's reputation and ability to facilitate housing development may be hindered if the SPD is seen by developers as overly stringent. However, the SPD states that the Council recognises there will be variation in circumstances, and will assess each development on a site-by-site basis. The SPD has been drafted with a focus on discussions and collaboration rather than taking a prescriptive approach.

## **12 Equality Screening**

12.1 An Equalities and Fairness Impact Assessment has been undertaken. The assessment demonstrates that the Affordable Housing SPD is unlikely to have any significant impact on equalities and fairness.

### **Background Papers**

- Lewes District Local Plan Part 1 – Joint Core Strategy 2010 - 2030 (adopted 2016)
- Affordable Housing Supplementary Planning Document (LDC, 2018)
- Affordable Housing SPD Sustainability Appraisal Screening Report (LDC, 2017)
- Affordable Housing SPD – Statement of Consultation (LDC, 2018)
- Affordable Housing SPD Equalities and Fairness Impact Assessment (LDC, 2017)
- National Planning Policy Framework (DCLG, 2012)
- Town & Country Planning (Local Planning) (England) Regulation 2012

To inspect or obtain copies of the background paper, please refer to the contact officer listed above.

---

## Appendix 1: Table of Representations Received on the Lewes District Council Draft Affordable Housing SPD

Rep ID	Name	Representation	Officer Response
AH-SPD:1	Robert Robertson	Response to question - The method for calculating commuted sums is not easy to follow.	Section 5 of the Affordable Housing SPD sets out commuted sums in detail and provides two worked examples to assist with calculations. Appendix C: Commuted Sums: Indicative Values also provides a table setting out the indicative values of commuted sums for various numbers of affordable housing units and for different dwelling types. It is thought that with the text provided and by following the methodology as set out in the worked examples, this is adequate in explaining how to calculate a commuted sum.
AH-SPD:2	Robert Robertson	No definition of "commuted sum" is given prior to the method description. The sentence structures are long and convoluted containing references to other obtuse references.  The explanation is not transparent to a lay person.	The SPD is a planning policy document that builds upon and provides more detailed guidance on the policies contained in the Local Plan. Whilst we have tried to keep the document as easy to follow as possible, it necessarily makes references to terms which could be seen as somewhat niche or technical.  A definition of 'commuted sum' may help to clarify what is being discussed within the SPD. However, a standard or official definition of 'commuted sum' is difficult to locate.  It is proposed that the following definition of commuted sum is included in Section 2 (Definitions): A commuted sum (or payment in lieu): A sum in lieu of affordable housing payable by a developer to the local authority, either because delivery on site is assessed as unviable and is agreed by the Council, or where a financial contribution in lieu of a percentage of a unit is required.
AH-SPD:3	Robert Robertson	Response to question - Does not know whether the level of commuted sums sought are reasonable and justified.	A comparison of the commuted sums calculated using the LDC method and that of other local authorities was undertaken during the formation of the SPD. The results showed that of those local authorities, LDC compares favourably in terms of the level of commuted sums it would

Rep ID	Name	Representation	Officer Response
			<p>seek.</p> <p>Analysis also indicates that the value of development to a developer is higher when they provide no affordable housing and instead pay a commuted sum, than when they provide 40 per cent affordable housing onsite (with a commuted sum for 0.4 of a unit).</p>
AH-SPD:4	Ringmer Parish Council	<p>COMMENT on Para 3.11: While the attempt to match the provision of different sizes of affordable housing to need is welcomed (and should also be applied to market housing) Para 3.11 as it stands is too prescriptive. It should be amended at least for rural areas to ensure that provision in each rural community matches that community's need. Rural need should be assessed in consultation with the rural community concerned. Wording such as that in South Downs National Park Draft Local Plan policy SD29(2) would be more appropriate.</p> <p>Reason: One size does not fit all, as has already been recognised in requirements for car parking provision. Rural villages can provide an excellent environment for families, but rural living involves exceptionally high transport costs for working-age households. This is especially important for single people needing social housing, whose incomes are often very low. This precludes private transport, and means they cannot afford to patronise village shops. Such people can easily become both impoverished and socially isolated. The proportion of 1-bed units proposed may well be appropriate for the District overall but is not appropriate for Ringmer's needs,</p>	<p>Whilst evidence from the Housing Register generally points to a need for approximately 50 per cent of dwellings to be one bedroom across the district, and often in the case of rural areas, it would be beneficial and appropriate to take local need into consideration.</p> <p>It is accepted that Para 3.11 may appear as too prescriptive and may seem to neglect local circumstances at the parish or town level. The Council proposes changing the paragraph to say:</p> <p>'Information gathered from the Council's Housing Register provides an indication of the need for each dwelling type. With reference to this, the Council will expect the affordable housing units within each development to be provided <i>broadly</i> in line with the dwelling mix set out below. <i>The local planning authority will negotiate the appropriate dwelling mix on a site by site basis based upon the latest evidence of needs in the site locality.</i></p> <p>1 bedroom: 50 per cent;  2 bedrooms: 30 per cent;  3 bedrooms: 15 per cent; and  4+ bedrooms: 5 per cent.'</p>

Rep ID	Name	Representation	Officer Response
		as expressed in the Ringmer Neighbourhood Plan.	
AH-SPD:5	Ringmer Parish Council	<p>COMMENT on Para 9.2: Para.9.2 should be changed so that the policy is reviewed if house prices change significantly (compared to prices in general) in either direction, up or down.</p> <p>Reason: To maximise the delivery of affordable housing without jeopardising the economic viability of overall housing delivery.</p>	<p>Paragraph 9.2 refers to 'a fall of 10 per cent or more in East Sussex average house prices'.</p> <p>The trigger of a fall of 10 per cent or more in East Sussex average house prices is seen as adequate for this particular document. A significant fall in house prices has the potential to negatively impact upon the viability of development schemes and consequently to impact upon the number of affordable housing units being provided. The likelihood is that a rise in house prices would not negatively impact upon the viability of a scheme.</p> <p>However, as the Market Value (MV) completed unit research was assessed by the District Valuation Service in Summer 2016, a more appropriate gauge would be a fall of 10 per cent or more in East Sussex average house prices: Land Registry House Price Index <i>June 2016</i> baseline, rather than the Land Registry House Price Index June 2011 baseline figure.</p>
AH-SPD:6	Alan Byrne, Historic England	Historic England has no comment to make on the draft Affordable Housing SPD the contents of which fall outside our area of responsibility.	Comments noted.
AH-SPD:7	John Kay, Lewes branch CPRE Sussex	<p>This comment is about Policy 3.11, which proposes 50% 1-bed units for affordable housing throughout the District.</p> <p>This proportion is much too high for the village I live in, and I am sure for other villages too. As a Citizens Advice adviser I regularly encounter single people of working age but unable, for one reason or another,</p>	<p>Whilst evidence from the Housing Register generally points to a need for approximately 50 per cent of dwellings to be one bedroom across the district, and often in the case of rural areas, it would be beneficial and appropriate to take local need into consideration.</p> <p>It is accepted that Para 3.11 may appear as too prescriptive and may seem to neglect local circumstances at the parish or town level. The Council proposes changing the paragraph to say:</p>

Rep ID	Name	Representation	Officer Response
		<p>to work. They often have as little as £73 per week to live on (from Employment and Support Allowance or Job Seekers Allowance). From this they have to cover all their living costs including all utilities and 20% of their council tax. This puts extreme financial pressure on them. They certainly cannot afford private transport (without which rural life is difficult), they cannot afford to use village shops, and the cost of rural bus services (where available) is a very heavy burden, even at one trip to town per week. Most people in this situation want and need to be accommodated in towns, where they can more easily and cheaply access the facilities they need.</p> <p>Thanks to additional support such as Child Tax Credits the financial situation of poorer families is much less acute. There are also tremendous advantages of a rural environment for families with children. Those wishing to access shared equity housing in rural areas are also much more likely to be families than individuals. Whenever my village has participated in exception site developments for local people the priority has always been for 2-bed and 3-bed family housing.</p> <p>Policy 3.11 should thus be revised to exclude the rural areas. It should also be revised to apply only to affordable-rented housing in urban areas, as the pattern of demand for shared equity housing is likely to be very different.</p>	<p>'Information gathered from the Council's Housing Register provides an indication of the need for each dwelling type. With reference to this, the Council will expect the affordable housing units within each development to be provided <i>broadly</i> in line with the dwelling mix set out below. <i>The local planning authority will negotiate the appropriate dwelling mix on a site by site basis based upon the latest evidence of needs in the site locality.</i></p> <p>1 bedroom: 50 per cent;  2 bedrooms: 30 per cent;  3 bedrooms: 15 per cent; and  4+ bedrooms: 5 per cent.'</p> <p>In terms of tenure, the SPD also sets out Core Policy 1: Affordable Housing, which states 'The local planning authority will negotiate the appropriate tenure split on a site by site basis based upon the latest evidence of needs in the site locality.'</p> <p>This will ensure the SPD is sufficiently flexible enough to accommodate local circumstances.</p>
AH-SPD:8	Claire Lacey,	Affordable housing. P 20 – the term 'Affordable' is a	The definition of affordable housing is the standard definition taken from

Rep ID	Name	Representation	Officer Response
	Peacehaven Town Council	<p>concern. The prices quoted for 2 bedroom Flats is far higher than the price of 2 bedroom houses. IS this an accurate representation of 2018 cost of housing in Peacehaven and how does it compare with other areas within the District? Have the costs of Affordable homes included the cost of Mortgage, Maintenance and Rent? And how is this qualified?</p> <p>Affordable Housing. P 20 – There is also a concern that ESCC Highways are adopting a policy that internal roads on new estates (such as Lower Hoddern Farm development would NOT be adopted but handed over to a management company. This will put an extra cost burden on the householder. Would you confirm whether all new roads would or would not be adopted and amend the approximate costs on housing within the Strategy.</p>	<p>the National Planning Policy Framework.</p> <p>The SPD is a planning policy document that builds upon and provides detailed guidance on the policies in the Local Plan. As mentioned in paragraph 1.6 SPDs are material planning considerations in the determination of planning applications.</p> <p>The SPD is intended to instruct the Local Planning Authority, developers, agents, landowners and other stakeholders in relation to policy requirements concerning delivery of affordable housing on all residential development sites, calculations of any commuted sum payments, and the planning process, including assessment of financial viability of developments, for example. In this respect, it is necessarily covering something of a niche area and has not been formulated as a catch all document. It is not within the scope of the Affordable Housing SPD to consider issues relating to highways infrastructure.</p> <p>Appendix B: Commuted Sum Methodology of the SPD mentions that the Market Value completed unit was independently assessed by the District Valuation Service in Summer 2016, and is based on the average sales values for open market values in both high value and low value market areas. Each type of dwelling in each of the MV areas has been independently assessed and is based on information including Land Registry data and detailed market sales research across all regions of the district.</p> <p>The district has been split into two value areas. The Low Value Market Area consists of Peacehaven, Newhaven and Seaford along the coast.</p> <p>In this respect, this is a reasonably accurate reflection and is suited to the purpose of the Affordable Housing SPD.</p>

Rep ID	Name	Representation	Officer Response
AH-SPD:9	Lucy Howard, South Downs National Park Authority	We suggest that there needs to be much clearer statements in the Lewes SPD that it will apply only to Lewes District outside the National Park.	<p>With the SDNPA in the process of adopting their own affordable housing policy for the area of the district for which the SDNPA are the planning authority, it is agreed that confusion should be avoided and the areas covered by the Lewes District Council SPD should be clearly stated.</p> <p>In addition, references to SDNP and 'designated rural areas (i.e. the National Park part of Lewes District)' can be deleted. Paragraphs 1.3; 1.8; 3.3; 4.3, 4.4; 4.10; 5.1; and Appendix A: Map of High and Low Value Market Areas can be edited for clarity.</p>
AH-SPD:10	Lucy Howard, South Downs National Park Authority	There should also be a statement to clearly say that all relevant developments that take place within the National Park will be subject to policies set out in the South Downs Local Plan, in particular Policy SD28 Affordable Housing (albeit there may need to be a caveat that full weight will only apply on adoption of the Local Plan, which at the time of the Lewes SPD publication will be undergoing examination).	<p>It is agreed that the SPD should clearly state that all relevant developments within the SDNP will be subject to policies set out in the South Downs Local Plan, once adopted.</p> <p>To this end, the introduction of the SPD will state: 'All relevant developments within the South Downs National Park will be subject to policies as set out in the Joint Core Strategy and emerging South Downs Local Plan. Once adopted by the South Downs National Park Authority the South Downs Local Plan will replace entirely the Joint Core Strategy.'</p>
AH-SPD:11	Lucy Howard, South Downs National Park Authority	<p>Para: 1.3</p> <p>Current wording: To address these issues, in reference to the Planning Practice Guidance, the Council will implement Core Policy 1 with a target of 40 per cent affordable housing on the site of new developments of 11 or more residential units. In designated rural areas (i.e. the National Park part of Lewes District), affordable housing, or financial contributions towards the provision of future affordable housing in the form of a commuted sum,</p>	<p>With references to the SDNP being deleted from the LDC SPD, and by explicitly stating that 'all relevant developments in the South Downs National Park will be subject to policies as set out in the South Downs Local Plan' elsewhere in the LDC SPD, this should clarify any uncertainty as to whether the LDC SPD refers to the area covered by the SDNPA, including Core Policy 1.</p> <p>To provide extra clarity, Box A of the SPD which sets out Core Policy 1 will be edited, the title changed to 'Box A: Core Policy 1 - Affordable Housing, applicable within the Lewes District Council Planning Authority boundary'. The text will also be edited to remove references to</p>



Rep ID	Name	Representation	Officer Response
		<p>will be sought on developments of 6 or more residential units.</p> <p>Change suggested and reason: Clarification that Core Policy 1 will only apply in Lewes District outside of the National Park, and that SDLP Policy SD28 will apply in the South Downs National Park. Remove reference to threshold of 6 units in the National Park.</p>	<p>the South Downs National Park.</p>
AH-SPD:12	Lucy Howard, South Downs National Park Authority	<p>Para: 1.4</p> <p>Current wording: ...where replacement affordable units are not being provided by the developer on another site agreed with the Council, it will be necessary to secure the due affordable contribution in the form of a commuted payment.</p> <p>Change suggested and reason: Note that SDLP Policy SD28 does not allow for provision on an alternative site. This comment will automatically be addressed if change suggested to 1.4 is implemented.</p>	<p>With references to the SDNP being deleted from the LDC SPD, and by explicitly stating that 'all relevant developments in the South Downs National Park will be subject to policies as set out in the South Downs Local Plan' elsewhere in the LDC SPD, this should clarify any uncertainty as to whether the LDC SPD refers to the area covered by the SDNPA.</p>
AH-SPD:13	Lucy Howard, South Downs National Park Authority	<p>Para: 1.7</p> <p>Current wording: The purpose of this Supplementary Planning Document (SPD) is to provide an explanation of how the Council's affordable housing policy, as set out in the Core Strategy, is to be implemented.</p>	<p>With references to the SDNP being deleted from the LDC SPD, and by explicitly stating that 'all relevant developments in the South Downs National Park will be subject to policies as set out in the South Downs Local Plan' elsewhere in the LDC SPD, this should clarify any uncertainty as to whether the LDC SPD refers to the area covered by the SDNPA.</p>

Rep ID	Name	Representation	Officer Response
		<p>Change suggested and reason: Add along lines of "...in Lewes district outside of the National Park"</p>	
<p>AH-SPD:14</p>	<p>Lucy Howard, South Downs National Park Authority</p>	<p>Para: 1.8</p> <p>Current wording: The policy guidance relates to the Lewes District. It specifically refers to the areas within the Lewes District Council Planning Authority boundary, including the Low Weald to the north of the South Downs National Park and the coastal area to the south, and the Lewes District Council Housing Authority area covering the whole District. The areas covered correspond to the South Downs National Park boundary and are displayed in Appendix A of this technical note.</p> <p>Change suggested and reason: Should clearly relate to Lewes District outside the SDNP. Cross out reference to housing authority area i.e. "...and the Lewes District Council Housing Authority area covering the whole District."</p> <p>The current wording is confusing as it implies that the SPD and Core Policy 1 will apply across the whole of Lewes district. It is clearer to limit the SPD's application to the statutory planning framework, given that the LPA and LHA boundaries do not align. Bear in mind that the SDNPA has in the emerging local plan its own set of planning requirements in respect of housing mix, local connections in relation to nominations, etc. which</p>	<p>References to SDNP and 'designated rural areas (i.e. the National Park part of Lewes District)' can be deleted. Paras to be edited: 1.3; 1.8; 3.3; 4.3; 4.4; 4.10; 5.1; Appendix A: Map of High and Low Value Market Areas.</p> <p>To avoid confusion, it would be useful to remove the reference to 'housing authority' and to clarify that the LDC SPD refers specifically to areas within the district but does not include the SDNP area which falls within the district.</p> <p>Propose to place paragraph 1.8 at beginning of introduction, and to edit paragraph 1.8 to state:</p> <p>'This SPD relates only to the area for which Lewes District Council is the Local Planning Authority. It specifically refers to those areas within the Lewes District Council Planning Authority boundary, including the Low Weald to the north of the South Downs National Park and the coastal area to the south. For clarity, the areas covered are displayed in Appendix A of this document. The coverage of this SPD does not include the South Downs National Park. All relevant developments within the South Downs National Park will be subject to policies as set out in the Joint Core Strategy and emerging South Downs Local Plan. Once adopted by the South Downs National Park Authority the South Downs Local Plan will replace entirely the Joint Core Strategy.'</p>

Rep ID	Name	Representation	Officer Response
		would apply in the SDNPA part.	
AH-SPD:15	Lucy Howard, South Downs National Park Authority	<p>Para: 3.3</p> <p>Current wording: The District has no affordable housing requirement on developments of 5 (net) or less dwellings within the National Park (Designated Rural Area).</p> <p>Change suggested and reason: Delete the text referred to.</p> <p>The SDLP Policy will be seeking AH contributions/provision on sites of 3 (gross).</p>	References to SDNP and 'designated rural areas (i.e. the National Park part of Lewes District)' can be deleted. Paras to be edited: 1.3; 1.8; 3.3; 4.3; 4.4; 4.10; 5.1; and Appendix A: Map of High and Low Value Market Areas.
AH-SPD:16	Lucy Howard, South Downs National Park Authority	<p>Para: 3.5, Box A &amp; Box B</p> <p>Current wording: Whole of this bit.</p> <p>Change suggested and reason: Add clarification that Core Policies 1 &amp; 2 apply only in Lewes district outside of the National Park.</p>	<p>Paragraph 3.5, which refers to core Policy 1, to remain.</p> <p>However, to provide clarity, Box A of the SPD which sets out Core Policy 1 will be edited, the title changed to 'Box A: Core Policy 1 - Affordable Housing, applicable within the Lewes District Council Planning Authority boundary'. The text will also be edited to remove references to the South Downs National Park.</p> <p>Box B: Core Policy 2 – Housing Type, Mix and Density will be edited, the title changed to 'Core Policy 2 – Housing Type, Mix and Density, applicable within the Lewes District Council Planning Authority boundary'. The text will also be edited to remove references to the South Downs National Park.</p>
AH-SPD:17	Lucy Howard, South Downs National Park	<p>Para: 3.11</p> <p>Current wording: ...the Council will expect the</p>	By this point in the LDC SPD, it will have been stated that the SPD refers to only those parts of the district not located in the SDNP. To repeat this statement throughout the document would be superfluous,

Rep ID	Name	Representation	Officer Response
	Authority	<p>affordable housing units within each development to be provided in line with the following dwelling mix:</p> <p>Change suggested and reason: Add along lines of "...in Lewes district outside of the National Park"</p>	would be cumbersome for the reader and is unnecessary.
AH-SPD:18	Lucy Howard, South Downs National Park Authority	<p>Para: 4.4</p> <p>Current wording: The strong presumption is that the policy of affordable housing will be delivered on all developments of 11 or more dwelling units and 6 or more in designated rural areas (i.e. the National Park part of Lewes District).</p> <p>Change suggested and reason: Delete text: "and 6 or more in designated rural areas (i.e. the National Park part of Lewes District)."</p> <p>The SDLP Policy will be seeking AH contributions/provision on sites of 3 (gross).</p>	To avoid confusion references to SDNP and 'designated rural areas (i.e. the National Park part of Lewes District)' can be deleted. Paras to be edited: 1.3; 1.8; 3.3; 4.3; 4.4; 4.10; 5.1; Appendix A: Map of High and Low Value Market Areas.
AH-SPD:19	Lucy Howard, South Downs National Park Authority	<p>Para: 4.4</p> <p>Current wording: ...Section 7 of this Affordable Housing Technical Note explains how...</p> <p>Change suggested and reason: Update text to refer to SPD.</p>	Whilst the document is a SPD, it is also a note of a technical nature. However, to avoid any confusion which may arise with regards to the purpose of the document, the term 'technical note' can be replaced with 'SPD'.
AH-SPD:20	Lucy Howard, South Downs National Park	<p>Para: 4.10</p> <p>Current wording: Whole paragraph (concerning</p>	References to the SDNP are being deleted from the LDC SPD. The SPD is explicitly stating that 'all relevant developments in the South Downs National Park will be subject to policies as set out in the South Downs

Rep ID	Name	Representation	Officer Response
	Authority	<p>commuted sums in designated rural area)</p> <p>Change suggested and reason: Delete whole paragraph.</p> <p>The SDLP is proposing a different approach to thresholds and when to seek contributions than that set out in Planning Practice Guidance, based on local evidence and the English National Parks Vision &amp; Circular.</p>	<p>Local Plan' elsewhere in the LDC SPD.</p> <p>Given the above, it is appropriate that paragraph 4.10 is deleted in its entirety.</p>
AH-SPD:21	Lucy Howard, South Downs National Park Authority	<p>Para: 4.15</p> <p>Current wording: The intention will be to spend any commuted sums within the close geographical proximity to where the commuted sum was generated, but may be spent anywhere in the District.</p> <p>Change suggested and reason: Qualify this statement by saying along lines of "...It should be noted that within the South Downs National Park, local connection and proximity criteria apply that limit spending of commuted sums to meeting local need within the National Park. The South Downs Local Plan sets out these criteria."</p>	<p>It is a matter for the SDNPA to explain in their own policy documents the SDNPA's precise policy concerning commuted sums.</p> <p>For clarity and to avoid confusion it would be useful for para 4.15 to explain 'The intention will be to spend any commuted sums within the close geographical proximity to where the commuted sum was generated, but may be spent anywhere within the Lewes District Council Planning Authority boundary. In some circumstances, commuted sums may be pooled and used to enable the provision of affordable housing, as determined by the Council.'</p>
AH-SPD:22	Lucy Howard, South Downs National Park Authority	<p>Para: 5.1</p> <p>Current wording: In accordance with Core Policy 1, and in reference to the Planning Practice Guidance, an affordable housing contribution is sought from</p>	<p>References to the SDNP are being deleted from the LDC SPD. The SPD is explicitly stating that 'all relevant developments in the South Downs National Park will be subject to policies as set out in the South Downs Local Plan' elsewhere in the LDC SPD.</p>

Rep ID	Name	Representation	Officer Response
		<p>residential developments of 11 or more and 6 or more in designated rural areas (i.e. the National Park part of Lewes District) which involve a net gain in the number of units onsite.</p> <p>Change suggested and reason: Delete text: “and 6 or more in designated rural areas (i.e. the National Park part of Lewes District).”</p> <p>The SDLP Policy will be seeking AH contributions/provision on sites of 3 (gross).</p>	<p>To avoid confusion references to SDNP and 'designated rural areas (i.e. the National Park part of Lewes District)' can be deleted. Paras to be edited: 1.3; 1.8; 3.3; 4.3; 4.4; 4.10; 5.1; Appendix A: Map of High and Low Value Market Areas.</p>
AH-SPD:23	Lucy Howard, South Downs National Park Authority	<p>Para: 5.6</p> <p>Current wording: Appendix B of this Affordable Housing Technical Note...</p> <p>Change suggested and reason: Update text to refer to SPD.</p>	<p>Whilst the document is a SPD, it is also a note of a technical nature. However, to avoid any confusion which may arise with regards to the purpose of the document, the term 'technical note' can be replaced with 'SPD'.</p>
AH-SPD:24	Lucy Howard, South Downs National Park Authority	<p>Para: Appendix A: Map of High and Low Value Market Areas</p> <p>Current wording: Whole of it.</p> <p>Change suggested and reason: The area covered by the SDNP should be specifically identified and the legend should make clear that this area is subject to a separate policy framework i.e. the SDLP.</p>	<p>References to the SDNP are being deleted from the LDC SPD. The SPD is explicitly stating that 'all relevant developments in the South Downs National Park will be subject to policies as set out in the South Downs Local Plan' elsewhere in the LDC SPD.</p> <p>Given the above, the map at Appendix A will need to demonstrate that the SDNP is not a within the parameters of LDC affordable housing planning policy. To provide clarity the map can be edited by removing the light green overlay covering the SDNP. This will leave only the high value market area and the low value market area within the LDC Planning Authority overlaid with colour, clearly demonstrating the area covered by the LDC SPD.</p>

Rep ID	Name	Representation	Officer Response
AH-SPD:25	Tetlow King Planning on behalf of Rentplus UK Ltd	<p>Local policies and guidance should recognise that for those households aspiring to home ownership, the main obstacle is being able to save enough for a mortgage deposit...The Rentplus affordable rent to buy model addresses this barrier to home ownership through a combination of a secure rented period at an affordable rent, giving time to save, and a 10% gifted deposit to enable tenants to buy their own home in 5, 10, 15 or 20 years...It is important to note that the Government has been proposing changes to the definition of affordable housing for some time now and this is due to be formalised in the publication of an updated NPPF imminently. The Council should therefore be mindful that the definitions set out in this SPD may require revision in the short term to reflect the latest national policy definitions. This is important as the definitions of individual tenures are set to be expanded to include a range of affordable housing models that can better reflect wide ranging needs, and aspirations for home ownership...The Communities Secretary Sajid Javid indicated in a recent statement to the House of Commons that CLG is looking at including affordable rent to buy as a separate tenure in the update to the NPPF.</p>	<p>The Council is aware and is mindful that the Government has been proposing changes to the definition of affordable housing, and that the definitions set out in the SPD may require revision to reflect the latest national policy definitions, once the revised NPPF is finalised and in place.</p> <p>Paragraph 1.11 of the SPD states: 'The document has been developed to be sufficiently flexible enough to accommodate changes to national and local policy. The document will be reviewed regularly and in reference to changes to national policy, local policy and local evidence.'</p> <p>Paragraph 2.1 of the SPD states: 'If any of the definitions set out below are updated within the National Planning Policy Framework, or if any of the definitions not included in the National Planning Policy Framework are updated by the relevant organisation, the updated definitions will supersede those set out in this SPD.'</p> <p>Paragraphs 1.11 and 2.1 take into consideration the potential for of any definitions used for national policy to be updated.</p> <p>By reviewing the document regularly, this will enable any further definitions to be included within the SPD, when and if necessary, and within a reasonable and timely period.</p>
AH-SPD:26	Tetlow King Planning on behalf of Rentplus UK Ltd	<p>The Core Strategy policies cannot be changed through guidance in the SPD but the way in which tenure mix is interpreted may to better reflect the national policy approach and the need for individual tenures locally. We recommend that the SPD seek</p>	<p>The Council is mindful that the Government has been proposing changes to the definition of affordable housing, and that the definitions set out in the SPD may require revision to reflect the latest national policy definitions, once finalised and in place.</p>

Rep ID	Name	Representation	Officer Response
		<p>to include references and definitions of those tenures set out within last year's White Paper, including the below definition of affordable rent to buy, to ensure as wide a range of households in need can be properly accommodated within the District, enabling them to stay in the area and contribute to an even more economically successful Lewes.</p>	<p>Paragraph 1.11 of the SPD states: 'The document has been developed to be sufficiently flexible enough to accommodate changes to national and local policy. The document will be reviewed regularly and in reference to changes to national policy, local policy and local evidence.' Implicit within this is the consideration of any definitions used for national policy. We believe that, by reviewing the document regularly, this will enable any further definitions to be included within the SPD, when and if necessary.</p> <p>Core Policy 1, as set out in the SPD states: 'The guideline affordable housing tenure split will be 75% affordable rented and 25% intermediate (shared ownership). The local planning authority will negotiate the appropriate tenure split on a site by site basis based upon the latest evidence of needs in the site locality.'</p> <p>The tenure split is therefore a guideline - the implication is that the tenure split will be negotiated with latest evidence of needs considered. This provides the necessary flexibility to enable a wide range of households in need to be accommodated within the district.</p>
AH-SPD:27	Tetlow King Planning on behalf of Rentplus UK Ltd	<p>The indication at paragraph 3.8 and within Section 6 that the Council will seek to impose the nationally described space standards through this SPD is not appropriate, as the Planning Practice Guidance specifically allows for the standard to be introduced through Local Plan policies alone. The Core Strategy states at paragraph 7.24 that "Specific standards for each type and size of dwelling are not proposed so as to ensure flexibility to meet the identified local need as this may change over time and/or differ by location." and so there is no avenue for the national space standards to be introduced.</p>	<p>Paragraph 1.9 of the SPD states: 'This document should be used as a guidance tool from the earliest stages of the development process of any site'.</p> <p>Paragraph 3.7 states: 'A particular site's characteristics and the development as a whole should be reflected in the affordable housing mix of dwelling tenure, type and size. The Council's planning team will advise on the exact tenure, type and size split on each site through pre-application discussions.'</p> <p>The Council will not impose the nationally described space standards through the SPD. The nationally described space standards are seen as</p>



Rep ID	Name	Representation	Officer Response
		<p>We ask that reference to this be removed from the SPD.</p>	<p>a guidance and general expectation, which can be discussed for each development.</p> <p>However, to avoid misunderstandings, paragraph 3.8 can be edited to explicitly state that the nationally described space standards are a guideline and not a stipulation. To further add clarification, the title of Section 6 can be edited to 'Guidance on Standards for Development'. Paragraph 6.1 can be edited to state: 'The Council will use the nationally described space standards, taken from the DCLG Technical housing standards – nationally described space standards, as a guideline for space provision in housing development, including affordable housing, to ensure that development protects the residential amenity of existing and future residents.'</p>
<p>AH-SPD:28</p>	<p>Tetlow King Planning on behalf of Rentplus UK Ltd</p>	<p>As with the above point in relation to the internal space standards, paragraph 3.11 seeks to prescribe a mix of housing that will be expected on individual developments; the Core Strategy does not seek this, and the introduction of this within the SPD is inappropriate as the requirement is akin to policy. Setting out a mix in this way can reduce the flexibility of developers and of the Council in responding to individual development proposals which may best meet local housing needs and can create unnecessary challenges for all parties in determining applications. This paragraph should either be removed or reworded to provide guidance on a broad range of dwelling mix that will form a starting point for negotiation only.</p>	<p>Paragraph 1.9 of the SPD states: 'This document should be used as a guidance tool from the earliest stages of the development process of any site'.</p> <p>It is accepted that paragraph 3.11 may appear as too prescriptive and may seem inflexible to local circumstances at the parish or town level.</p> <p>Paragraph 3.11 can be edited to say:</p> <p>'Information gathered from the Council's Housing Register provides an indication of the need for each dwelling type. With reference to this, the Council will expect the affordable housing units within each development to be provided <i>broadly</i> in line with the dwelling mix set out below. <i>The local planning authority will negotiate the appropriate dwelling mix on a site by site basis based upon the latest evidence of needs in the site locality.</i></p> <p>1 bedroom: 50 per cent;</p>

Rep ID	Name	Representation	Officer Response
			2 bedrooms: 30 per cent; 3 bedrooms: 15 per cent; and 4+ bedrooms: 5 per cent.'

## Appendix 2: Schedule of Changes to the Draft Affordable Housing SPD

**Note:** Deleted text highlighted by ~~strikethrough~~. New text highlighted in red and underlined.

Ref.	Section	Modification
C:1	Contents	<p>Amended Contents:</p> <ol style="list-style-type: none"> <li>1. Introduction</li> <li>2. Definitions</li> <li>3. Policy Guidance</li> <li>4. Policy Obligations</li> <li>5. Commuted Sums</li> <li>6. <del>Expected Standards</del> <u>Guidance on Standards for Development</u></li> <li>7. Planning Application Process for Residential Developments</li> <li>8. Delivery Organisations</li> <li>9. Monitoring</li> </ol>
C:2	Introduction	<p>Amended paragraph 1.3:</p> <p>Lewes District Council is attempting to improve the provision of affordable homes following the adoption of Core Policies 1 and 2 of the Core Strategy. These Core Policies seek to address the key issues of delivering the homes and accommodation needed within the district, and ensuring the housing growth requirements are accommodated in the most sustainable way. To address these issues, in reference to the Planning Practice Guidance<sup>6</sup>, the Council will implement Core Policy 1 with a target of 40 per cent affordable housing on the site of new developments of 11 or more residential units. <del>In designated rural areas (i.e. the National Park part of Lewes District), affordable housing, or financial contributions towards the provision of future affordable housing in the form of a commuted sum, will be sought on developments of 6 or more residential units.</del> These requirements extend <u>apply</u> to the provision of affordable housing <del>across the District</del> regardless of localised property values.</p>

Ref.	Section	Modification
C:3	Introduction	<p>Paragraph 1.8 moved to become paragraph 1.1, and amended:</p> <p><del>The policy guidance relates to the Lewes District. The areas covered correspond to the South Downs National Park boundary and are displayed in Appendix A of this technical note.</del> <u>This SPD relates only to the area for which Lewes District Council is the Local Planning Authority.</u> It specifically refers to the areas within the Lewes District Council Planning Authority boundary, including the Low Weald to the north of the South Downs National Park and the coastal area to the south. <del>and the Lewes District Council Housing Authority area covering the whole District.</del> <u>For clarity, the areas covered are displayed in Appendix A of this document. The coverage of this SPD does not include the South Downs National Park. All relevant developments within the South Downs National Park will be subject to policies as set out in the Joint Core Strategy and emerging South Downs Local Plan. Once adopted by the South Downs National Park Authority the South Downs Local Plan will replace entirely the Joint Core Strategy.</u></p>
C:4	Introduction	<p>Paragraph 1.9 amended:</p> <p>The document should be read in conjunction with Core Policy 1 and Core Policy 2 of the Core Strategy, and other relevant documents including the National Planning Policy Framework and the <del>Planning Practice Guidance</del> <u>Planning system guidance</u>, when considering making a planning application within the District. This <del>document</del> <u>SPD</u> should be used as a guidance tool from the earliest stages of the development process of any site, including during purchase negotiations and the preparation of development schemes.</p>
C:5	Introduction	<p>Paragraph 1.10 amended:</p> <p>This <del>technical note</del> <u>SPD</u> is intended to instruct the Local Planning Authority, developers, agents, landowners and other stakeholders in relation to:</p>
C:6	Introduction	<p>Paragraph 1.12 amended:</p> <p>This <del>draft Affordable Housing SPD has been prepared for</del> <u>was subject to public</u> consultation with the local community and other stakeholders <u>between 30 November 2017 and 25 January 2018.</u></p>
C:7	Introduction	<p>Paragraph 1.13 amended:</p>

Ref.	Section	Modification
		<p>Once adopted, <del>The Affordable Housing SPD will be</del> <b>is</b> a material consideration in the determination of planning applications.</p>
C:8	Introduction	<p>Paragraph 1.14 deleted:</p> <p><b>Consultation</b></p> <p><del>The Draft Affordable Housing SPD will be subject to consultation with key stakeholders including local developers, affordable housing providers, the local community and other interested parties between 30 November 2017 and 25 January 2018.</del></p>
C:9	Introduction	<p>Paragraph 1.15 deleted:</p> <p><del>The SPD can be viewed and commented on via the Council's online consultation webpage, which can be accessed via the joint Lewes District Council and Eastbourne Borough Council Consultations webpage. Representations can also be submitted by email or via post.</del></p> <p>Email: <del>ldf@lewes.gov.uk</del></p> <p><del>Planning Policy</del></p> <p><del>Southover House</del></p> <p><del>Southover Road</del></p> <p><del>Lewes</del></p> <p><del>BN7 1AB</del></p>
C:10	Introduction	<p>Paragraph 1.16 deleted:</p> <p><del>Following the 8 week consultation period, the Council will consider and summarise the representations received. These will be an important source of information which will be used to refine the SPD in preparing the final version. This will be formally adopted by the Council and used to assist in the evaluation of planning applications.</del></p>

Ref.	Section	Modification
C:11	Definitions	<p>Paragraph 2.1 amended:</p> <p>If any of the definitions set out below are updated within the National Planning Policy Framework, or if any of the definitions not included in the National Planning Policy Framework are updated by the relevant organisation, the updated definitions will supersede those set out in this <del>New Affordable Housing Technical Note</del> <a href="#">SPD</a>.</p>
C:12	Definitions	<p>A new definition added at paragraph 2.2:</p> <p><b><u>Commuted Sum (or payment in lieu)</u></b></p> <p><u>A commuted sum is a sum in lieu of affordable housing payable by a developer to the local authority, either because delivery on site is assessed as unviable and is agreed by the Council, or where a financial contribution in lieu of a percentage of a unit of affordable housing is required.</u></p>
C:13	Policy Guidance	<p>Title of Section 3 amended:</p> <p><b>Policy Guidance</b></p>
C:14	Policy Guidance	<p>Paragraph 3.2 deleted:</p> <p><del>Since the revocation of the South East Plan, the scale of future housing growth needs to have due regard to the policies set out in the National Planning Policy Framework and the Planning Practice Guidance. The key policy reference of the National Planning Policy Framework is paragraph 47, which states that Local Plans should meet the full objectively assessed need for market and affordable housing as far as is consistent with other policies of the Framework. In light of this, Lewes District Council and the South Downs National Park Authority (SDNPA) worked in partnership with other authorities from the Sussex Coast Housing Market Area to produce a Duty to Co-operate Housing Study. For Lewes District, this study identifies a need to deliver between 9,200 – 10,400 net additional dwellings over the plan period (equivalent to 460 – 520 dwellings per annum).</del></p>
C:15	Policy Guidance	<p>Paragraph 3.3 amended:</p> <p>The regulations regarding the Community Infrastructure Levy give full relief from paying the levy on the portions of the</p>

Ref.	Section	Modification
		<p>chargeable development intended for affordable housing. The District has no affordable housing requirement on developments of 5 (net) or less dwellings within the National Park (Designated Rural Area), and 10 (net) or less dwelling units which have a maximum combined gross floorspace of no more than 1,000 sqm, elsewhere in the District. This reflects the national policy position on this matter, and also the Council's own evidence that demonstrates on schemes of 1 or 2 net additional dwellings the ability to bear both the cost of CIL and a commuted payment towards affordable housing could impact upon the viability of the scheme.</p>
C:16	Policy Guidance	<p>Add new paragraph after 3.3:</p> <p><u>Part 11: Regulation 122. Limitation on use of planning obligations of the Community Infrastructure Levy Regulations 2010 (As Amended) explains:</u></p> <p><u>(1) This regulation applies where a relevant determination is made which results in</u>  <u>_____ planning permission being granted for development.</u></p> <p><u>(2) A planning obligation may only constitute a reason for granting planning</u>  <u>_____ permission for the development if the obligation is—</u></p> <p><u>(a) necessary to make the development acceptable in planning terms;</u></p> <p><u>(b) directly related to the development; and</u></p> <p><u>(c) fairly and reasonably related in scale and kind to the development.</u></p>
C:17	Policy Guidance	<p>Paragraph 3.5 amended:</p> <p>For the avoidance of doubt, in the event of any <b>formal</b> future change in Government policy that requires alternative thresholds, levels of types of affordable housing to be provided by development, the resulting national policy position will supersede the relevant part(s) of Core Policy 1 below, where necessary.</p>
C:18	Policy Guidance	<p>Box A amended:</p> <p><b>Box A: Core Policy 1 - Affordable Housing, <u>applicable within the Lewes District Council Planning Authority boundary</u></b></p>

Ref.	Section	Modification										
		<p>Key Strategic Objective:</p> <ul style="list-style-type: none"> <li>To deliver the homes and accommodation for the needs of the district and ensure the housing growth requirements are accommodated in the most sustainable way.</li> </ul> <p>4. A district wide target of 40% affordable housing, including affordable rented and intermediate housing, will be sought for developments of 11 or more dwelling units. For developments in designated rural areas affordable housing, or financial contributions towards, will be sought on developments of 6 or more according to the stepped target and threshold below:</p> <p style="text-align: center;"><b>Table 1: Affordable Housing Targets/Thresholds</b> (in designated rural areas)</p> <table border="1" data-bbox="869 740 1543 1131"> <thead> <tr> <th colspan="2" data-bbox="869 740 1543 807">Affordable Housing Target/Threshold</th> </tr> <tr> <th data-bbox="869 807 1184 924">Scheme Size (Units)</th> <th data-bbox="1184 807 1543 924">Affordable Housing</th> </tr> </thead> <tbody> <tr> <td data-bbox="869 924 1184 992">6-8</td> <td data-bbox="1184 924 1543 992">2*</td> </tr> <tr> <td data-bbox="869 992 1184 1061">9-10</td> <td data-bbox="1184 992 1543 1061">3*</td> </tr> <tr> <td data-bbox="869 1061 1184 1131">11+</td> <td data-bbox="1184 1061 1543 1131">40%</td> </tr> </tbody> </table> <p style="text-align: center;"><b>*Commuted sum financial payment</b></p>	Affordable Housing Target/Threshold		Scheme Size (Units)	Affordable Housing	6-8	2*	9-10	3*	11+	40%
Affordable Housing Target/Threshold												
Scheme Size (Units)	Affordable Housing											
6-8	2*											
9-10	3*											
11+	40%											
C:19	Policy Guidance	<p>Box A amended:</p> <p>1. The affordable housing requirement may exceptionally be determined on a site by site basis where justified by market and/or site conditions. The target levels will be expected to be provided by all developments of 11 or more and 6 or more in designated rural areas (net) dwelling units (including conversions and subdivisions) unless the</p>										



Ref.	Section	Modification
		<p>local planning authority is satisfied by robust financial viability evidence that development would not be financially viable at the relevant target level. Such evidence will be required to be submitted with the planning application to justify any reduced levels of affordable housing provision proposed for assessment using an open-book approach and may be subject to independent assessment (e.g. by the Valuation Office Agency or equivalent).</p>
C:20	Policy Guidance	<p>Paragraph 3.6 deleted:</p> <p><del>At the time of adoption, South Downs National Park Authority was developing new policy in relation to affordable housing thresholds and percentages required for the SDNPA area. As and when this policy is consulted on and adopted by SDNPA, any variation in policy from the Core Strategy will supersede the text set out in Box A: <i>Core Policy 1 – Affordable Housing</i> above, with reference to the SDNPA area.</del></p>
C:21	Policy Guidance	<p>Box B amended:</p> <p><b>Box B: Core Policy 2 – Housing Type, Mix and Density, <u>applicable within the Lewes District Council Planning Authority boundary</u></b></p> <p>...</p> <p>4. Where appropriate, the local planning authority will identify sites and local requirements for special needs housing (such as for nursing homes, retirement homes, people with special needs including physical and learning disabilities, specific requirements of minority groups etc.) <del>in a Site Allocations and Development Management Policies DPD and/or the SDNPA Local Plan.</del></p>
C:22	Policy Guidance	<p>Paragraph 3.8 amended:</p> <p>It is expected that affordable housing provided onsite will be subject to the same standards and be indistinguishable from the open market housing. The provision of onsite affordable housing should be integrated into the layout of the development through ‘pepper-potting’ within market housing, in order to fully reflect the distribution of property types and sizes in the overall development. The Council recognises that pepper-potting may not be possible on development sites consisting of 25 dwellings or less. For developments consisting of more than 25 dwellings, discussions are required between the Council and the applicant/ developer on a site-by site basis. <del>It is expected that</del> <b>The Council will use</b> the nationally described space standards, as set out in Section 6 of this Affordable Housing</p>

Ref.	Section	Modification
		<p>Technical Note SPD, will also be adhered to. <u>as a guideline for what size of accommodation is desirable to ensure residential amenity is protected.</u></p>
C:23	Policy Guidance	<p>Paragraph 3.10 amended:</p> <p>The housing should comply with all relevant design and quality codes and standards as set out by the Homes and Communities Agency or other associated national bodies, as well as any corresponding local <u>policy</u>, guidance and specifications.</p>
C:24	Policy Guidance	<p>Paragraph 3.11 amended:</p> <p>Information gathered from the Council's Housing Register provides an indication of the need for each dwelling type. With reference to this, the Council will expect the affordable housing units within each development to be provided <u>broadly</u> in line with the following dwelling mix <u>set out below. The local planning authority will negotiate the appropriate dwelling mix on a site by site basis based upon the latest evidence of needs in the site locality.</u></p> <p>1 bedroom: 50 per cent;  2 bedrooms: 30 per cent;  3 bedrooms: 15 per cent; and  4+ bedrooms: 5 per cent.</p>
C:25	Policy Guidance	<p>Paragraph 3.13 amended:</p> <p>Affordable housing should be delivered by <del>one of the</del> housing providers which that have a strong stake within the <u>Lewes District</u> area. The choice of housing provider should be agreed upon by the developer with the Council.</p>
C:26	Policy Obligations	<p>Paragraph 4.3 amended:</p> <p>For clarity, the affordable housing policy applies to sheltered, extra care and assisted living residential development in the same way as it does to general dwelling houses, where each residential unit is designated within the C3 Planning Use Class. It also applies to conversions and subdivisions where there is a net residential gain of 11 or more dwelling units <del>and 6 or more in designated rural areas</del>. The affordable housing requirements do not apply to developments</p>

Ref.	Section	Modification
		designated within the C2 Planning Use Class.
C:27	Policy Obligations	<p>Paragraph 4.4 amended:</p> <p>The strong presumption is that the policy of affordable housing will be delivered on all developments of 11 or more dwelling units <del>and 6 or more in designated rural areas (i.e. the National Park part of Lewes District)</del>. Therefore, there is a firm expectation that affordable housing will be provided on the development site, where provision could reasonably be made under the terms of the policy without making the development non-viable. The policy is not intended to operate in a way that renders development non-viable and thereby <b>should not</b> reduces development coming forward. Section 7 of this Affordable Housing Technical Note <b>SPD</b> explains how viability issues will be considered, so that where it is demonstrated that development would not be viable with the contribution required under the policy, the level of contribution can be reduced or waived to ensure that development remains viable.</p>
C:28	Policy Obligations	<p>Paragraph 4.5 amended:</p> <p>The priority for Lewes District Council is to increase the number of affordable homes within the District, and ideally developers will build the correct number and mix of affordable dwellings <b>on site</b> in accordance with Core Policies 1 and 2. However, where this is not possible the Council will work to a four tier system of general principles, weighted towards the independently assessed financial viability of each of the following options. The Council recognises there will be variation in circumstances, and will assess each development on a site-by-site basis. The four tiers are:</p> <ol style="list-style-type: none"> <li>I. The Council's onsite preferred mix;</li> <li>II. An onsite alternative mix to be agreed upon by the Council and the relevant developer(s);</li> <li>III. A level of affordable housing onsite which is less than the specified threshold;</li> <li>IV. A commuted sum.</li> </ol>
C:29	Policy Obligations	<p>Paragraph 4.6 amended:</p> <p>In some circumstances the Council may be willing to negotiate with the applicant/developer the acceptance of a serviced plot as payment in kind with a commuted sum of relatively lower value. This will be commensurate to the value of the commuted sum which would otherwise be calculated and paid to the Council in the absence of</p>

Ref.	Section	Modification
		<p><del>acceptance of the serviced plot. The value of serviced plots for each dwelling type will be based on those displayed in Table 2: Affordable Housing Commuted Sum Payment Table of this document.</del></p>
C:30	Policy Obligations	<p>Paragraph 4.9 amended:</p> <p>The commuted sum to be paid and the payment schedule will be reflected in the Section 106 Agreement. <del>For developments within the District which are not in designated rural areas, the</del> The expectation is that the commuted sum will be paid prior to the commencement of the development and this will also be reflected in the Section 106 Agreement. However, Lewes District Council recognises the potential for economic conditions to change. With reference to this, the Council may agree to an alternative payment schedule. More information regarding Section 106 Agreements is available through the Council's pre-application planning advice webpage.</p>
C:31	Policy Obligations	<p>Paragraph 4.10 deleted:</p> <p><del>The Planning Practice Guidance states that in designated rural areas affordable housing and tariff style contributions may be sought from developments of between 6 and 10 units, in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under section 157(1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty. Decisions concerning the payment of commuted sums for developments in designated rural areas will be based on national policy and local evidence, in consultation with the Planning Authority. The payment schedule will be outlined in the Section 106 Agreement.</del></p>
C:32	Policy Obligations	<p>Paragraph 4.15 amended:</p> <p>The intention will be to spend any commuted sums within the close geographical proximity to where the commuted sum was generated, but may be spent anywhere <u>within the Lewes District Council Planning Authority boundary</u>. In some circumstances, commuted sums may be pooled and used to enable the provision of affordable housing, as determined by the Council.</p>
C:33	Commuted Sums	<p>Paragraph 5.1 amended:</p> <p>In accordance with Core Policy 1, and in reference to the Planning Practice Guidance, an affordable housing</p>

Ref.	Section	Modification
		<p>contribution is sought from residential developments of 11 or more <del>and 6 or more in designated rural areas (i.e. the National Park part of Lewes District)</del> which involve a net gain in the number of units onsite. The Council recognises that occasionally it may be difficult to provide affordable homes within the smallest developments, and therefore on such sites a commuted sum based on the associated threshold of affordable housing may be accepted towards improving the provision of affordable housing offsite.</p>
C:34	Commuted Sums	<p>Paragraph 5.5 amended:</p> <p>The basis for calculating the cost to the developer of onsite provision will be the Affordable Housing Commuted Sum Payment Table, which is arranged by market value area, housing type and the Council's <del>expected</del> <b>guideline</b> space standards for affordable housing sizes. Where the policy results in a percentage of a unit to be provided, this percentage can be calculated in monetary terms using the Payment Table.</p>
C:35	Commuted Sums	<p>Paragraph 5.6 amended:</p> <p>The method calculates the commuted sum by assessing the average market sales value of housing. The serviced plot value is then subtracted. Of the remaining development costs forty per cent of this is calculated, and then divided by the Council's <del>expected</del> <b>guideline</b> dwelling size (internal floor area by square metre), to arrive at the contribution per square metre (sqm). Appendix B of this <del>Affordable Housing Technical Note</del> <b>SPD</b> provides further explanation of the methodology used to construct the Affordable Housing Commuted Sum Payment Table.</p>
C:36	Commuted Sums	<p>Paragraph 5.8 amended:</p> <p>For the purposes of affordable housing provision and based on an independent assessment, Lewes District Council has chosen to divide the District into two value market areas. These areas reflect the dwelling prices across the District, which affect the residual site values and the financial viability of delivering affordable housing on sites within these market value areas. Appendix A contains a map displaying the High and Low Value Market Areas. Developments located within either the High Value Market Area or the Low Value Market Area are required to deliver the <del>associated</del> <b>same policy</b> targets for affordable housing, <b>i.e. 40 per cent</b>. The commuted sums for dwellings of various sizes and located in both of these market areas are summarised in Table 2: Affordable Housing Commuted Sum Payment Table.</p>

Ref.	Section	Modification
C:37	Expected Standards	Title amended:  <del>Expected Standards</del> <b><u>Guidance on Standards for Development</u></b>
C:38	Expected Standards	Paragraph 6.1 amended:  The Council's <del>expected</del> <b><u>will use the nationally described</u></b> space standards for affordable housing, taken from the DCLG document <i>Technical housing standards – nationally described space standard</i> , <b><u>as a guideline for the internal space to be provided within the affordable housing to ensure that development protects the residential amenity of existing and future residents. The space standard guidelines</u></b> are set out in Table 3: <del>Expected g</del> <b><u>G</u></b> ross internal floor areas and storage (m <sup>2</sup> ).
C:39	Expected Standards	Title of Table 3 amended:  <b>Table 3: <del>Expected g</del> <u>G</u>ross internal floor areas and storage (m<sup>2</sup>)</b>
C:40	Planning Application Process for Residential Developments	Paragraph 7.4 amended:  When assessing the financial viability of a residential development the applicant should refer to the considerations listed in Appendix D of this Affordable Housing <del>Technical Note</del> <b><u>SPD</u></b> , unless there are any justified overriding factors. The Council recommends using an independent viability expert to assist in assessing the viability of the proposed development. Applicants may use their own viability assessment toolkit to assess financial viability, for which their figures should be independently verified by a qualified valuation officer or an organisation that is a full member of the Royal Institute of Chartered Surveyors (RICS), prior to the submission of the application. Should any such viability assessment assert that a development is unviable, the Council will, if necessary, commission an independent viability expert to scrutinise the assessment. The cost of any such assessment will be paid by the applicant.
C:41	Planning Application Process for Residential Developments	Paragraph 7.8 amended:  If it is agreed that the requirements of the Council's affordable housing policy will render a site unviable, the Council's Planning and Housing Officers will work with the applicant/developer until overall delivery is considered viable. The Council's general preferences, in line with the overall provisions of Core Policy 1, are set out in order of priority in

Ref.	Section	Modification
		<p>paragraph 4.5. Listed below, in sequential order, are options the Council will work through with the applicant/developer on a site-by-site basis to ensure viability. This provides further elaboration of the options discussed in the Core Strategy:</p> <ul style="list-style-type: none"> <li>• An amended mix of affordable tenures to deliver in full the required quota of affordable homes on the application site;</li> <li>• Delivery in full of the required quota of affordable homes on an alternative suitable and serviced site elsewhere within Lewes District, completion of such homes to be achieved within a similar time line to that established for the affordable housing originally proposed for the application site;</li> <li>• A reduction in the number of affordable homes to be delivered on the application site;</li> <li>• A commuted sum equivalent in value to the cost to the developer of onsite provision. All commuted sums collected by the Council will be used to help deliver new and additional affordable housing. As stated above, commuted sums will need to be spent by the Council within 10 years from the date of payment;</li> <li>• Support for an application to the HCA <a href="#">Homes England</a> for grant funding to deliver in full the required quota of affordable homes on the application site. It should be noted that HCA <a href="#">Homes England</a> policy is not to award grant funding to schemes subject to the provisions of a Section 106 Agreement, other than in the most exceptional of circumstances. The Council reserves the right to reject this option if to do so would adversely impact upon the time taken to determine the application;</li> <li>• An application to the Council for grant funding to deliver in full the required quota of affordable homes on the application site. It should be noted that the Council does not award grant funding to developments subject to the provisions of a Section 106 Agreement, other than in the most exceptional of circumstances. The Council reserves the right to reject this option if to do so would adversely impact upon the time taken to determine the application;</li> <li>• To abandon the requirement for affordable housing to be provided or funded as a consequence of the development. This option will not normally be considered unless there is clear, justifiable and independently verified evidence that none of the options detailed above are viable.</li> </ul>
C:42	Delivery Organisations	Paragraph 8.1 amended:

Ref.	Section	Modification
		<p>The Homes and Communities Agency (HCA) <a href="#">Regulator of Social Housing (RSH)</a> is responsible for registering and regulating providers of social housing. HCA <a href="#">RSH</a> maintain a Statutory Register of Providers of Social Housing (the register), which lists private (both not for profit and for profit) and local authority providers. HCA <a href="#">RSH</a> upload a monthly spreadsheet of current registered providers which lists the names, registration numbers, registered office addresses, type of provider, registration date and legal entity. HCA <a href="#">RSH</a> also publish a list of registrations and de-registrations to the register each month. The Registered Provider information is available from the Homes and Communities Agency <a href="#">Regulation of social housing</a> website.</p>
C:43	Delivery Organisations	<p>Paragraph 8.2 amended:</p> <p>Lewes District Council is willing to work with housing providers which are not registered with HCA <a href="#">RSH</a> as well as those housing providers which are registered with HCA <a href="#">RSH</a>, in order to maximise the opportunities to provide affordable housing in <a href="#">the</a> Lewes District.</p>
C:44	Monitoring	<p>Paragraph 9.2 amended:</p> <p>In the event of a fall of 10 per cent or more in East Sussex average house prices (Land Registry House Price Index June 2011 <a href="#">2016</a> baseline) the local planning authority will review the targets and thresholds of this <del>policy guidance</del> <a href="#">SPD</a>.</p>
C:45	Appendix A: Map of High and Low Value Market Areas	<p>Map amended to remove the South Downs National Park planning authority area from the area designated as High Value Market Area.</p>
C:46	Appendix E: Other Key Policies, Documents and Sources of Information	<p>Reference to the Homes and Communities Agency deleted:</p> <p><del><a href="#">The Homes and Communities Agency</a></del></p> <p><del>The Homes and Communities Agency is responsible for increasing the number of new homes that are built in England including affordable homes and homes for market sale or rent, and for regulating social housing providers.</del></p>