

**Affordable housing supplementary planning document  
Town and Country Planning (Local Development) Regulations 2012  
Consultation Statement in accordance with regulation 12(a).**

The Town and Country Planning (Local Development) regulations of 2012 stipulate in regulation 12(a) that before adoption of a supplementary planning document, the local planning authority must prepare a statement setting out:

- i) the persons the local planning authority consulted when preparing the supplementary planning document;
- ii) a summary of the main issues raised by those persons, and;
- iii) how those issues have been addressed in the supplementary planning document.

In accordance with that regulation 12(a) the persons and organisations listed in appendix A were consulted in preparing the Affordable housing SPD. Public consultation on the draft version of the document took place between 1<sup>st</sup> October to 31<sup>st</sup> October 2014. Details of the consultation can be found here:

<http://www.norwich.gov.uk/YourCouncil/Consultations/ClosedConsultations/2014/Pages/NorwichLocalPlanAffordableHousingSPD.aspx>

Appendix B to this document sets out the responses received to the consultation and how the issues raised have been addressed in the SPD.

In addition, in accordance with that regulation 12(a) the persons and organisations listed in appendix A were consulted again between 19<sup>th</sup> January to 30<sup>th</sup> January 2015 on the implications of national planning policy changes for JCS policy 4 and the introduction of the 'vacant building credit'. Details of the consultation can be found here:

<http://www.norwich.gov.uk/YourCouncil/Consultations/Pages/AffordableHousingSPDReconsultation.aspx>

Appendix C to this document sets out the responses received to the consultation and how the issues raised have been addressed in the SPD.

## **Appendix A: List of those consulted**

### **Agents, developers, architects and organisations**

Alan Irvine  
David Barrett  
Kevin Cole  
Graham Dacre  
Bob C Gotts  
Robin Key  
Aldridge Lansdell and Co.  
Alsop Verrill  
Anglia Design Associates  
Urbanblu Ltd  
Atkins OSM  
Aukett Fitzroy Robinson Ltd  
AWG Property  
Barton Wilmore  
Beacon Planning Ltd  
Bidwells  
Bovis Homes Ltd - South East Region  
Bridge Homes  
Broads Society  
Building Partnerships  
Building Plans Ltd  
C & M Architects Ltd  
Cator & Co  
CB Richard Ellis  
CBRE  
Centenary Asset Management  
Fine City Properties LLP  
CgMs  
Chaplin Farrant  
Charles Emberson Architect  
City and County Agency  
Citygate Developments  
CLA Architects  
Cliff Walsingham & Co  
Colliers International  
Cornerstone Planning  
Crispin Lambert Architecture  
CSA Design Studio  
Dart Properties  
David Futter Associates Ltd  
Davis Langdon  
Delancey's  
Dencora  
Denis Tuttle

Dennis Black Associates  
Dove Jeffery Homes Ltd  
DPDS Consulting  
Drivers Jonas LLP  
DTZ Piedad Consulting  
Durban Associates  
DWA Planning  
East Anglian Property Limited  
EJW Planning Limited  
Emery Planning Partnership  
Eskmuir Properties Ltd  
Evolution Town Planning  
Fairhurst  
Federation of Master Builders  
Fielden & Mawson  
Firstplan  
Florida Group  
FW Properties Ltd  
Geoffrey Lane Town Planning  
GHP Real Estate  
GL Hearn  
GLTP Development Consultancy  
GVA Grimley  
Harvey & Co  
Heaton Planning  
Henderson Retail Warehouse Fund  
Hewitson Becke and Shaw  
Hibbett & Key  
Hill Partnerships  
Home Builders Federation  
Hopkins Homes  
Hudson Architects  
Iceni Developments Ltd  
Imperial House Properties Ltd  
Indigo Planning Limited  
Ingleton Wood  
Stuart Mills JB Planning  
John Investments Ltd  
Jonathan Hall Associates  
JSM Estate Agents  
JTS Partnership  
Land Securities Trillium  
Lanpro Services  
Les Brown Associates  
Level  
Linden Homes  
Location 3 Properties Ltd

Longborough Developments Legal on behalf of Valhalla (UK) Limited  
Lovell Partnerships Ltd  
LSI Architects  
Lucas Hickman Smith  
Martin Robeson Planning Practice  
McArthur Tring Associates LLP  
McCarthy and Stone (Developments) Ltd  
Mike Haslam Associates  
Mono Consultants  
Morston Assets Limited  
Nathaniel Lichfield & Partners  
New Anglia LEP  
NHBC  
Norwich Consolidated Charities  
Norwich Properties  
NPS Property Consultants Ltd  
Outdoor Advertising Association  
P Livesey Country Homes  
Peacock and Smith  
Pegasus Planning Group  
Peregrine Land Ltd  
Persimmon PLC  
Peter Codling Architects  
Peter Colby Commercials Ltd  
Petros (Norwich) Ltd.  
Philip Noble and Son  
Places for People Group  
Planning Potential  
Plansuru Ltd  
Planware Limited  
Premier Planning  
Purcell Miller Tritton LLP  
Reynolds Jury Architecture Ltd  
RHWL Architects  
Richard Jackson Engineering Consultants  
Richard Pike Associates  
Roche Chartered Surveyors  
Roger Tym and Partners  
Newnes Ronaldsons  
RPS  
Savills (L & P) Limited  
Schroders UK Property Fund  
Scott Brownrigg Planning  
Serruys Properties (SPC)  
SSA Planning Ltd  
Steggles Larner Property Partnership  
Stewart Ross Associates (Dev Plan)

Targetfollow  
Taylor Wimpey plc  
Tetlow King Planning  
The Landscape Partnership  
The Planning Bureau  
The Town Planning Consultancy  
The Tyler Parkes Partnership  
Thomas Eggar LLP  
Thorpe Consortium  
Turley Associates  
Turnberry Planning  
Vincent Howes  
Tayler Watsons  
Wilson Bowden Developments  
WYG  
Youngs Homes

**Registered Providers**

Abbeyfield Society (Norwich) Ltd  
Anchor Trust  
Broadland Housing Association  
Circle Anglia  
Cotman Housing Association Ltd  
English Churches Housing Group  
Flagship Housing Association  
Granta Housing Association  
Habinteg  
Hanover Housing Association  
Hastoe Housing Association  
Homes and Communities Agency  
Housing 21  
Iceni  
Norwich Cohousing  
Norwich Housing Society  
Orbit Housing Association  
Orwell Housing Association  
Oxbury & Co  
Peddars Way Housing Association  
RedBox Partnerships  
Saffron Housing  
Shelter  
Social Housing Partnership  
Space East  
St Martins Housing Trust  
Stonham Housing Association  
The Umbrella Housing Group Ltd  
Victory Housing

Wherry Housing Association  
YMCA

**Councillors**

Norwich Green Party Group  
Liberal Democrats party  
Cllr Mike Stonard, Portfolio Holder (Env, Dev and Trans)  
Cllr Bert Bremner, Portfolio Holder (Housing)  
Cllr Keith Driver, Portfolio Holder (Neighbourhoods and Community Safety)

**Other Councils**

Broadland District Council  
Broads Authority  
CNC Building Control  
King's Lynn Borough Council  
Norfolk County Council  
Norwich City Council  
South Norfolk Council  
Breckland District Council  
Great Yarmouth Borough Council  
North Norfolk District Council

**Estate Agents**

Arnolds Keys  
Haart Estate Agents  
Knight Benjamin  
Lambert Smith Hampton  
Mills Knight  
Potter and Co.  
Strutt and Parker  
TOPS Property Services Ltd.

**Area housing offices**

East Norwich Housing Office  
Lakenham Housing Office

**Solicitors/legal advisors**

Howes Percival  
Mills and Reeve  
NP Law

**Known landowners of allocated housing sites**

Asda Stores Ltd  
Jarrod & Sons Ltd  
Marks and Spencer

## Appendix B: Consultation responses to draft SPD and the Council's response.

Rep Ref	Name	Organisation	Date of response	Nature of Rep	Summary	Council's response
5068-1	Andy Scales	NPS Property	15.10.2014	Object	<p>The approach outlined in the draft is generally welcomed. However, the requirements of Appendix 4 are excessively prescriptive and detailed and focus on fully designed schemes. It is unreasonable to require such a level of detail and cost information in many cases, particularly where full design has not taken place. The level of detail required to be submitted should be proportionate for each site/development proposal. BCIS costs would normally be used.</p> <p>The approach to land purchase and timing on page 31 is in conflict with RICS guidance in relation to 'exceptional circumstances' – this should be more flexible.</p>	<p>NOT ACCEPTED: The Council considers the level of detail outlined in Appendix 4 to be proportionate and necessary in order for a robust assessment of viability of a scheme to be made. Applications which are made in outline, i.e. not yet fully designed, should be made as policy compliant schemes (see paragraph 25 of the document).</p> <p>ACCEPTED: The reference to 'exceptional circumstances' will be removed. However, it will be made explicit that the value of the site will be based on the existing use value unless use of the alternative use value can be clearly evidenced either through an extant permission or allocation.</p>
5246-1	Stephen Faulkner	Norfolk County Council	07.10.2014	Support	<p>The SPD is not considered to raise any strategic concerns to the County Council and is considered to be consistent with the adopted JCS (Policy 4 – housing delivery).</p> <p>The County Council welcomes paragraph 46 of the SPD which indicates that prioritisation of planning obligations will be made on a case by case basis taking into consideration site specific circumstances and other material considerations.</p>	Noted
5481-1	Sue Bull	Anglian Water	14.10.2014	Support	On this occasion, we have no comment to make	Noted

Rep Ref	Name	Organisation	Date of response	Nature of Rep	Summary	Council's response
5544-1	Natalie Beal	Broads Authority	07.11.2014 (date of committee)		<p>Section 2 of the SPD needs to explain how the BA uses this SPD for development within NCCs authority boundary. In addition, this SPD will be referred to for any application submitted to the BS which triggers JCS4</p> <p>Paragraph 7 – The wording of JCS 4 does not make it clear if the AH contribution should be 20% or 30% if a site is 0.4ha in size. It would be useful if the SPD could clarify the policy intention here.</p> <p>Paragraph 41 – reference should be made to who will pay for independent verification of viability assessments.</p> <p>Paragraph 63 – Criterion 1: if the appraisal has demonstrated the development cannot deliver 1 AH unit, would it allow for a commuted sum for the partial cost of a dwelling?</p> <p>Notwithstanding the above, is there an element of sensitivity testing required, e.g. 20%, 30% provision etc.</p>	<p>ACCEPTED: The document has been amended in section 2 to reflect these circumstances.</p> <p>NOT ACCEPTED: It is considered that the JCS policy is sufficiently clear. If a site is 0.4ha and 5-9 dwellings are proposed, the affordable housing provision should be 20%. If 10-15 dwellings are proposed then 30% affordable housing should be provided. Officers should determine on a case by case basis if the greater requirement of JCS policy 4 (i.e. 30%) is being deliberately circumvented through lower density development than appropriate for the site.</p> <p>ACCEPTED: Inclusion of such a reference has been updated in the document. (See paragraph 52)</p> <p>NOT ACCEPTED: The intention behind the commuted sum is that the Council provides the affordable dwelling in lieu of on-site provision by the developer. It is not possible to provide only part of a dwelling, therefore it is not considered prudent to accept a commuted sum on this basis.</p> <p>ACCEPTED: Section 11 refers to the need for sensitivity testing. Paragraph 52 will be updated to make this clearer.</p>



Rep Ref	Name	Organisation	Date of response	Nature of Rep	Summary	Council's response
					<p>Further, should the last sentence of criterion one state 'even one' dwelling? The JCS policy will typically require more than 1 dwelling.</p> <p>Some guidance on the information required to demonstrate that the constraints of a site make it impractical for development in a form attractive to Registered Providers of affordable housing.</p> <p>Paragraph 69 – suggest 'The City Council will provide justification for spending money on a city-wide basis' is added.</p> <p>Paragraph 74 – add 'S106' into sentence.</p> <p>We recommend that the option of 'clawback' is used as well.</p>	<p>NOT ACCEPTED: This is a matter of expression. The criterion states 'a single' which is effectively the same as 'even one'. No change is proposed.</p> <p>ACCEPTED: It is considered that each application should be considered on its own merits. Therefore, the reference to guidance at this point will be removed.</p> <p>NOT ACCEPTED: the justification would be the absence of a site within 1km of the site. However, this is proposed to be changed to allow the commuted sum to be spent within the same or an adjacent electoral ward (see paragraph 80).</p> <p>ACCEPTED: A change will be made to the document.</p> <p>NOT ACCEPTED: Where an overage clause has been used in the past, no sites have yet got to a point where the second viability assessment is required. It is unclear at this time how the process will work, how much officer time is involved, and, most importantly, whether the Council will secure any further funding for provision of affordable dwellings. Guidance produced by the Royal Institute of Chartered Surveyors (RICS) suggests that rather than an 'overage' clause, a 'review' of the viability assessment should be made where non-commencement occurs. Such an approach</p>

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					<p>Paragraph 81 – the bullet points, whilst useful, are not in a logical order and could be worded more clearly.</p> <p>We recommend that the formulae are written out using the letters included in the column headers to each row of the table.</p> <p>Appendix 4, 'sustainability standards' bullets – reference to CSH should be removed given the Government's clear intention as set out in the Housing Standards Review? Perhaps 'or successor document' could be added.</p>	<p>would have significant benefits for housing delivery and positive resource implications:</p> <ul style="list-style-type: none"> <li>• More incentive for developers to build out schemes and complete them within a specified time period, thereby boosting housing delivery, and;</li> <li>• Less officer time negotiating complicated overage clauses with developers.</li> </ul> <p>The S106 agreement for any development would have a 'review' clause as outlined in paragraph 88 of the SPD.</p> <p>ACCEPTED: These will be re-ordered and re-worded as necessary to provide more clarity.</p> <p>NOT ACCEPTED: The appendix formulae are considered to be clear without this.</p> <p>PARTIALLY ACCEPTED: The wording 'or successor document' will be added rather than removal of reference to CSH.</p>

## Appendix C: Consultation responses to the re-consultation and the city council's response

Rep Ref	Name	Organisation	Date of response	Nature of Rep	Summary	Council's response
6949-1	Laura Waters	Norfolk County Council	20.01.2015	Comment	At this stage it is not considered that the SPD raises any strategic cross-boundary issues with Norfolk County Council.	N/A
6950-1	Simon Mitchell	Planning Issues	21.01.2015	Comment	<p>Supportive of recognition that the Vacant Building Credit should be applied and that only the net increase of floor space should be liable for affordable housing. Advised that this should be applied immediately.</p> <p>Suggest that the method proposed for calculating the 'credit' is reasonable using unit numbers is cumbersome and potentially confusing. The net effect of this initiative is to reduce the target affordable housing percentage. An alternative method is proposed that arrives at a revised target percentage no matter how many units are proposed (or the size of those units).</p> <p>The target percentage should be recalculated to take into account the two gross floor areas (the original building and the proposed replacement building) to arrive at a net affordable housing target. This will be the revised maximum target for that site.</p> <p>It should be made clear that VBC applies on all sites where buildings are vacant, not just on existing residential buildings.</p>	ACCEPTED: The alternative methodology is simpler than that proposed by officers. It is recommended that this methodology is used but revised to remove reference to a 'coefficient' as this may be confusing for users of the document. Section 4 of the SPD has been drafted to reflect this.
5544-2	Natalie Beal	Broads Authority	30.01.2015	Comment	No further comments	N/A