CONSULTATION REPORT:
SUPPLEMENTARY PLANNING GUIDANCE:
4. AFFORDABLE HOUSING
# Contents

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APPENDIX A: Summary of Comments received and the responses
1 BACKGROUND

The Policy Context

1.1 The Authority adopted the Eryri Local Development Plan (ELDP) 2016-2031 on the 6th February 2019. The ELDP 2016-2031 contains Strategic Policies and Development Policies as a basis for deciding planning applications. Supplementary Planning Guidance documents (SPGs) provide further detailed information, in support of the ELDP policies.

1.2 SPGs will be material planning considerations during the process of assessing and determining planning applications. Welsh Government and the Planning Inspectorate will place considerable weight on supplementary planning guidance that stem from, and are consistent with the ELDP. SPGs should expand and interpret planning policies and not in themselves, form new areas of policy.

The need for a Supplement Planning Guidance

1.3 Since the previous version of this SPG was adopted back in September 2011, the Authority’s housing policies have been amended through the preparation and adoption of the revised Eryri Local Development Plan 2016-2031. It is therefore necessary to revise the SPG as a whole to provide an up to date and appropriate guidance to assist those determining applications, agents and members of the public on Affordable Housing developments within the Snowdonia National Park.

1.4 The purpose of the guidance is to:
- Provide guidance on local needs for affordable housing including definitions and types.
- Provide detailed guidance to users of the planning system on how the current policies on affordable housing will be applied.
- Explain what needs to be considered when submitting a planning application for new affordable housing
- Provide guidance to assist officers and members in determining planning applications for affordable housing.

1.5 The SPG provides detailed information on how policies contained in the revised Eryri Local Development Plan (ELDP) (2016-2031) will be applied in practice by the Authority. The most relevant policies in the revised Eryri LDP are Strategic Policy G: Housing, Development Policy 30: Affordable Housing, Development Policy 11: Affordable Housing on Exception Sites and Development Policy 9: Conversion and Change of use of rural buildings.

1.6 The SPG has been updated to reflect current data on household income that guides the affordable price level of properties (Appendix 6 of the SPG). The size of affordable housing units has also been defined so they commensurate with the needs of the intended household and remain affordable in perpetuity (Section 8 of the SPG). The SPG has also been updated to reflect the most up to date data relating to commuted sum payments (Section 9 of the SPG).
2 PUBLIC CONSULTATION

2.1 A draft version of this SPG was approved for public consultation by the Authority’s Planning and Access Committee on July 3rd 2019. The draft was prepared in consultation with officers from the Authority’s Development Management Section along with other expert Topic Stakeholders.

2.2 The approved draft of this SPG was the subject of a 6 week public consultation between the 9th of July 2019 and the 18th of September 2019.

2.3 Details of the public consultation were available on the Authority’s website, and emails/letters were sent to all Councillors, Community Councils, and those on the Authority’s Contact Database. Hard copies of the SPG were also available to view:

- at the National Park Office in Penrhyndeudraeth,
- at public libraries in Barmouth, Bethesda, Blaenau Ffestiniog, Dolgellau, Penygroes, Tywyn, Porthmadog, Y Bala, Cerrigydrudion, Conwy, Llanfairfechan, Llanrwst, Penmaenmawr, and
- at the Authority’s Information Centres in Betws Y Coed, Beddgelert and Aberdyfi.

2.4 Interested parties were informed to respond to the consultation through submitting comments by emailing polisi.cynllunio@eryri.llyw.cymru or by post to the Authority’s Park Office address in Penrhyndeudraeth.

2.5 A total of 9 comments of objection were received. The comments cover issues such as self-build, commuted sums, building standards, the Welsh language and viability. A further 8 comments were received after the deadline for submissions. They have not been considered by officers but are included in Appendix 1 (respondent ID’s 005-006).

2.6 For the sake of clarification Officers have made an addition to paragraph 8.16 on the removal of permitted development rights.

2.7 Tai Teg no long charge a fee for individual assessments of housing need, therefore paragraph 7.8 has been deleted.

2.8 Appendix A of this report, summarises the comments received, the Authority’s response to the comments and, where appropriate, recommends any changes required to the SPG in lieu of the comment.
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<th>Resp ID</th>
<th>Rep ID</th>
<th>Organisation/ Individual</th>
<th>Type of comment</th>
<th>Chapter</th>
<th>Para no.</th>
<th>Officer Summary</th>
<th>Officer Response</th>
<th>Changes Proposed</th>
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<tr>
<td>001 001</td>
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<td>Gruffydd Price</td>
<td>Objection</td>
<td>General</td>
<td>General</td>
<td>The SPG does not mention ‘self-build’, for which the Welsh Government has commenced a scheme. Self-builds are required in the National Park to support and keep the young in our communities.</td>
<td>The Welsh Government are in the process of launching a new scheme called ‘Self-Build Wales’. This scheme involves Local Authorities identifying ‘plots’ on land in their ownership (this does not include National Parks, whose role in the scheme is as a Local Planning Authority to determining planning applications). Applicants provide a 25% deposit and receive a 75% loan from the Development Bank Wales. Applicants will not be able to rent or sell the self-build home for a minimum of 5 years from the completion date. The completed self-build must also be the applicant’s only property. The scheme has not been formulated specifically to deliver affordable homes for local needs. Any proposal under this scheme would need to comply with the Eryri LDP 2016-2030 affordable housing Policy 30. Any occupant would have to comply with the ELPD’s definitions of housing need and local occupancy. The inclusion of the scheme within the SPG is not considered necessary; it is an externally run scheme that is dependent on the current LDP policies and affordable housing guidance within the SPG.</td>
<td>No changes proposed.</td>
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<td>002 001</td>
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<td>Owen Devenport Ltd</td>
<td>Objection</td>
<td>10</td>
<td>10.16</td>
<td>Objects to the method of calculating the commuted sum when varying a Section 106 Agreement to remove a local occupancy restriction (i.e. not affordable). The commuted sum is based on the open market value minus the affordable value for the area. Some houses with local occupancy conditions are large and will not be at an affordable. The calculation would lead to a significant difference.</td>
<td>It is accepted that the method given could result in commuted sums that are unreasonably high. It is proposed that a ceiling is provided. Any commuted sum that goes over this will come down to the value of the ceiling. In order determine this value, the average affordable house price across the National Park can be used, multiplied by the amount of Social Housing Grant that a RSL would normally expect to receive from the Welsh Government to facilitate the development of an affordable housing scheme (58%). This gives a value of approximately.</td>
<td>Propose to add (shown in red) the following to paragraph 10.16: Where planning applications are received to lift local housing restrictions through Section 106 Agreement, the Authority will assess whether the restriction continues to serve a useful purpose. The Authority may consider either replacing the existing local occupancy restriction with a revised affordable housing Section 106 agreement with a % discount (based on...</td>
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<tr>
<td>003</td>
<td>001</td>
<td>Anonymous</td>
<td>Objection</td>
<td>General</td>
<td>General</td>
<td>The document is not easily understood and is overly complex.</td>
<td>The SPG has been written to the required level of detail and complexity that the subject entails. A level of detail is required to provide sufficient guidance to developers and provides mechanism for calculating affordable home values and commuted sums. For assistance, a glossary is appended as Appendix 1 to the SPG. These are not precise definitions but are provided to give the reader a simple introduction to some of the technical terms used in the document.</td>
<td>No changes proposed.</td>
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<td>004</td>
<td>001</td>
<td>Home Builders Federation</td>
<td>Objection</td>
<td>8</td>
<td>8.6</td>
<td>The size requirements for developments that receive Social Housing Grant is determined by the Welsh Government and is not relevant to planning and should not be referred to in the SPG. An example from the Vale of Glamorgan’s LDP examination is used to support this view.</td>
<td>SPG is guidance only and the house size requirements are not stated in Policy 30 Affordable Housing; but rather in the SPG for clarity.</td>
<td>No changes proposed.</td>
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<td>004</td>
<td>002</td>
<td>Home Builders Federation</td>
<td>Objection</td>
<td>8</td>
<td>8.11</td>
<td>Does not agree with the SPG’s contention that new affordable housing units should be fully integrated and as good, if not better than market housing in terms of design quality and materials. Something that is a better standard cannot be integrated.</td>
<td>The SPG uses the same wording contained in Policy 30 Affordable Housing of the Eryri Local Development Plan; the content of the policy cannot be changed.</td>
<td>No changes proposed.</td>
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<td>003</td>
<td>Home Builders Federation</td>
<td>Objection</td>
<td>8</td>
<td>8.13</td>
<td>DQR (Development Quality Requirements) standards are to be reviewed in 2021 so flexibility is required. Registered Social Landlords do not have to have properties built to DQR standards unless a Welsh Government grant is involved, so a home not built to DQR is not precluded from being purchased by an RSL.</td>
<td>This is not a requirement but a stated preference. It is recognised that RSL’s can purchase houses that do not comply to DQR if they have not received grant assistance.</td>
<td>No changes proposed.</td>
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<td>004</td>
<td>004</td>
<td>Home Builders Federation</td>
<td>Objection</td>
<td>8</td>
<td>8.14 + 8.15</td>
<td>States the section of the Welsh language is not relevant to the SPG and should be removed.</td>
<td>The SPG clarifies the requirements of Development Policy 18: The Welsh language and the Social and Cultural fabric of communities, from the ELDP. A Community and Linguistic Statement is required to accompany a planning application for unanticipated windfall sites of 5 or more residential units. Given that such an application will require a provision of affordable housing, dependant on the settlement type, this is a relevant and important consideration.</td>
<td>No changes proposed.</td>
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<td>004 005</td>
<td>Home Builders Federation</td>
<td>Objection</td>
<td>9</td>
<td>9.21</td>
<td>Reference should be made to the clause in S.106's requiring unspent commuted sums to be paid back to the developer within a certain amount of time. The timeframe should be 3 years.</td>
<td>As part of a rolling programme the SPG on Planning Obligations is planned to be updated in the near future which will refer to the latest relevant documents. Section 106 agreements include a clause requiring the Council to refund any unexpended financial contributions to the developer within a set timeframe. For affordable housing contributions, this will be a minimum of 10 years from the date of receipt. This reflects the complex nature of delivering affordable housing, including the time taken to identify appropriate sites and to identify a partner for delivery and future management of the affordable housing. The Commuted Sum Expenditure Protocol adopted by the Planning and Access Committee in October 2019 has further information on the topic. It is considered these matters should be left for the Authority's discretion when agreeing individual legal agreements. It is not considered necessary to amend the SPG.</td>
<td>No changes proposed.</td>
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<td>004 006</td>
<td>Home Builders Federation</td>
<td>Objection</td>
<td>9</td>
<td>9.31</td>
<td>The SPG advises the use of the Three Dragons 'Development Appraisal Toolkit', used elsewhere in Wales by LDP's and developers, where there is a dispute about the provision of affordable housing on a site which is subject of a planning application. Suggests greater flexibly in the wording to allow the use of other toolkits which may come available.</td>
<td>If other toolkits become available and are considered acceptable by the Authority, there would be no objection to their use.</td>
<td>For clarification, propose to add (shown in red) the following to paragraph 9.31: The Three Dragons 'Development Appraisal Toolkit' (or any other alternative toolkit considered acceptable by the Authority), used elsewhere in Wales by Local Planning Authorities and developers alike, may also be used as a guideline by the Local Planning Authority, where there is a dispute about the provision of affordable housing on a site which is the subject of a planning application. The toolkit is a software programme used to arrive at a residual value for the land by comparing the full costs of building a residential development with the revenue generated through house sales and any revenue generated by the affordable housing.</td>
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The software can also be used to check the construction and development costs of individual affordable units. In cases where disputes remain about values and cannot be resolved, the services of the District Valuer Service will be sought to resolve such disputes with the costs to be borne by the applicant.

Expand the specific requirements criteria for housing need to include 'for medical reasons', as well as for the elderly and disabled.

Add an additional criteria: ‘is suffering victimisation or social exclusion in their current area of residence’.

Received after closing deadline for submissions

No changes proposed.

Suggests expanding the definition of a key worker from being in full time permanent employment, to include those in part time or temporary employment.

Received after closing deadline for submissions

No changes proposed.

Requests evidence used to prepare the SPG.

Received after closing deadline for submissions

No changes proposed.

Refers to a letter sent by the Welsh Government's housing minister requiring allocated sites to provide at least 50% affordable housing.

Received after closing deadline for submissions

No changes proposed.

Refers to Development Policy 5: Open space and Green Wedges of the Eryri Local Development Plan 2016-2031, and to specific sites and planning permissions which are not relevant to this SPG.

Received after closing deadline for submissions

No changes proposed

‘Imposing fixed plot and rent prices is missing the target, do

Received after closing deadline for submissions.

No changes proposed
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<td>006</td>
<td>005</td>
<td>Evan Owen</td>
<td>Objection</td>
<td>General</td>
<td>General</td>
<td>these £12,000 plots include services and should the rent be 20% less than open market rents? It is unclear to officers what point is being made and what part of the SPG is being referred to.</td>
<td>Received after closing deadline for submissions.</td>
<td>No changes proposed.</td>
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<tr>
<td>006</td>
<td>006</td>
<td>Evan Owen</td>
<td>Objection</td>
<td>General</td>
<td>General</td>
<td>Ask whether it is right to say ownership of land outside the farming community is no reason to give planning permission on a particular site, as it seems discriminatory. It is unclear to officers what point is being made and what part of the SPG is being referred to.</td>
<td>Received after closing deadline for submissions.</td>
<td>No changes proposed.</td>
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