

**West Oxfordshire District Council**  
**Affordable Housing Supplementary Planning Document (SPD)**  
**Consultation Summary Report**

**February 2021**

## **1. Introduction**

- 1.1 The District Council is in the process of preparing an Affordable Housing Supplementary Planning Document (SPD) which, when adopted, will replace the previous version published in 2007.
- 1.2 An initial draft of the SPD was published for a six-week period of public consultation from 10 July until 21 August 2020.
- 1.3 In accordance with the District Council's adopted Statement of Community Involvement (SCI) a broad range of stakeholders were notified and invited to comment on the initial draft SPD, including elected Members, Town and Parish Councils, statutory and non-statutory consultees and individuals who have expressed a wish to be involved in such matters.
- 1.4 In response, consultation responses were received from eight organisations as follows:
  - Tetlow King on behalf of the Aster Group
  - Tetlow King on behalf of Rentplus UK
  - Green Axis
  - AECOM on behalf of Grosvenor Developments Ltd
  - Irwin Mitchell on behalf of Inspired Villages
  - Defence Infrastructure Organisation
  - Turley on behalf of the North Witney Land Consortium
  - Oxfordshire County Council
- 1.5 The purpose of this schedule is to set out the issues raised through these responses and explain how they have been taken into account by the District Council in preparing the revised draft Affordable Housing SPD which is the subject of a 6-week public consultation from 5 March – 16 April 2021.

<b>Tetlow King on behalf of the Aster Group</b>	
<b>Issues raised</b>	<b>WODC response</b>
The production of an updated affordable housing SPD is long overdue as the previous version dates from 2007 and predates the original and revised National Planning Policy Framework (NPPF) its purpose was to supplement policy H11 of the West Oxfordshire Local Plan 2011 (adopted June 2006) which has now been superseded by a new local plan. It is appropriate that a new draft SPD has been prepared to supplement the West Oxfordshire local plan policy H3.	Comment noted.
We very much support the overall objectives of the SPD, in particular the objectives to improve the quality and range of affordable housing options in the District and to promote new and innovative approaches to the delivery of affordable housing. Aster is able to assist the Council in achieving these aims and we are pleased to see that Aster listed as a registered provider in Appendix 2.	Support noted.
As a general comment, we note that the SPD refers throughout to the NPPF (July 2018) this document was promptly superseded by NPPF (February 2019) and whilst the later version contains similar policies and wording of the NPPF July 2018, the earlier document was essentially revoked and it is no longer available on the MHCLG website. It is therefore more appropriate to refer to the NPPF (February 2019) as it is most up-to-date national planning policy advice.	Comment noted. The revised draft SPD has been amended to include reference to the NPPF 2019.
We note the comment in section 3.0 (page 7) that there is no singular definition of affordable housing which then follows with the West Oxfordshire definition. Whilst it is accepted that each local authority has a different approach to affordable housing in terms of priorities in addressing local housing need it is generally accepted that the NPPF definition takes primacy. However, we discourage local planning authorities from repeating the NPPF definition verbatim in an SPD as it makes the document less adaptable to future changes and updates to national policy.	<p>Comment noted. It is considered useful to include the NPPF definition in full for clarity and to save the reader having to cross-refer to the NPPF itself.</p> <p>A footnote has however been added to the revised draft SPD to make it clear that the District Council will have regard to any amendments to the definition of affordable housing in future iterations of the NPPF.</p>

Issues raised	WODC response
<p>The SPD is informed by the Oxfordshire SHMA (2014) which was the evidence base to the West Oxfordshire local plan 2031 and policy H3 affordable housing. It is an appropriate evidence base but in time it will need to be updated to ensure that provides an accurate reflect of the housing market and affordability indicators.</p>	<p>Comment noted. The SHMA (2014) remains the most up to date evidence available on housing need at this point in time.</p> <p>Additional text has however been added to the revised draft SPD to make it clear that the SHMA provides an indicative guide only in terms of, for example, the size of affordable homes needed.</p>
<p>We note the reference in section 5.2 about the local plan seeking an indicative size mix of affordable housing that includes 65% one and two bedroom homes. It is paragraph 5.64 of the local that refers to one and two bedroom homes but it stated that this required to meet the needs of younger single and couple households, older people and small family households and will be used as guide. We are pleased to note that the last paragraph of section 5.2 states that the Council will take account of local circumstance and any identified local needs with regards to this indicative requirement.</p> <p>Our main concern with this indicative requirement for 65% one and two bedroom homes is that it could generate more flatted development which are not always ideal from a management perspective. We therefore hope the indicative requirement is flexibly applied.</p>	<p>Comment noted.</p> <p>The text of the revised draft SPD has been amended to make it clearer that the indicative size mix is to be used as a general guide only and that a number of other relevant factors will be taken into account including the specific nature of the development and practical management considerations.</p>
<p>We note at page 16 that West Oxfordshire restricts affordable rents to the lower of either 80% of market rent or the Local Housing Allowance. This is acceptable as long as the guidance within the MHCLG policy statement on Rents for Social Housing is applied, which permits annual rent increases on both social rent and affordable rent properties of up to CPI+1 percentage point from 1 April 2020. However, there is no certainty as to whether LHA will increase annually or remain static as it did for four years prior to the recent raise in April 2020.</p> <p>Typically, when pursuing a new development, Registered Providers often cap affordable rents equal to Local Housing Allowance (LHA) on first let, assuming that rents will inflate in line with Government policy on rent increases. By capping affordable rents in perpetuity, it prevents Housing Associations from increasing their affordable rents in line with Government policy.</p>	<p>Comment noted. Rent, and rent increases housing will follow MHCLG guidance. No change required.</p>

<p>Preventing such inflation can have critical impacts on Registered Providers. For example, a Housing Associations long term assets may experience a static rent against a rise in all of their costs of management and maintenance in the face of inflation. In essence, this would give the effect of a rent cut for these businesses. The significant concern is that this scenario would be highly unsustainable and uncompetitive for Housing Associations and could potentially severely threaten the delivery of affordable housing across West Oxfordshire.</p>	
<p>The draft SPD describes how shared ownership properties will be managed in West Oxfordshire, proposing a restriction of 50% of shared ownership homes to be sold at shares of 35% or less.</p> <p>Although it is recognised that imposing such restrictions would be beneficial in helping to address affordability, many housing associations would find comfort with the 50% being expressed as an aspirational target rather than an expectation to enable greater flexibility of the delivery of shared ownership housing.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to state that the Council will 'seek to ensure' rather than 'expect' that at least 50% of each type and size of shared ownership units on each scheme should initially be sold at shares of 35% or below in order to help ensure affordability.</p>
<p>At the bottom of page 9 we notice that the affordable housing SPD seeks to secure all affordable housing in perpetuity. The NPPF's sole reference to retaining affordable housing in perpetuity is in Annex 2 where this is sought for affordable housing delivered on rural exception sites. This principle is appropriate and supported by Aster as this helps to secure land for delivery of affordable housing in rural areas where housing delivery would otherwise not be supported.</p> <p>Securing affordable housing in perpetuity more widely is not supported for a number of reasons, foremost of which is that it restricts lenders appetite to fund development, as mortgage provision becomes more difficult with greater restrictions on individual properties. We would therefore advise that the council removes any references to securing affordable housing in perpetuity unless referring to rural exception sites.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to more accurately reflect the NPPF.</p>

Issues raised	WODC response
<p>The NPPF states that rural exception sites should provide affordable housing to meet ‘identified local needs’. There is a lack of clarification through the draft SPD on how to demonstrate local affordable housing need when considering a rural exception scheme. As the SPD itself mentions that small scale affordable housing schemes will need to meet ‘<i>specific local housing needs</i>’, the SPD should look to identify the parameters for demonstrating need, i.e. through parish needs surveys, but also for larger settlements where a parish needs survey may not be possible and other evidence may be needed to support a rural exception scheme.</p>	<p>Comment noted. Additional text has been added to the revised draft SPD to provide further clarification.</p>
<p>At page 21, the SPD states the following:</p> <p>“...the Council will require larger housing developments of 50 or more units to provide a percentage of new homes as accessible and adaptable housing designed to meet Building Regulations Requirements M4(2). This is broadly equivalent to Lifetime Homes Standards and affordable units should be built to provide suitable levels of internal space as set out in the nationally described space standards. As a minimum the council will seek the provision of at least 25% of market and affordable homes to this standard.”</p> <p>This paragraph is poorly worded as it is not clear if the applicant should be looking to provide 25% of market housing to the NDSS or to the M4(2) requirements. The Local Plan does not seek a proportion of homes to meet the NDSS and it would be inappropriate for an SPD to impose new policy. Local Plan policy H4 does however require that 25% of homes are designed to meet M4(2) which is an appropriate requirement.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to provide greater clarity.</p>
<b>Tetlow King on behalf of Rentplus UK</b>	
Issues raised	WODC response
<p>The Rentplus model of affordable rent-to-buy aims to help those hard-working families and households unable to access ownership either through shared ownership, starter homes or homes on the open market, to overcome the mortgage ‘gap’. This is achieved through a defined period of affordable Intermediate Rent at no more than 80% of local market value (including service charge) during which all Rentplus residents are able to save towards a deposit to supplement the 10% gifted deposit received from Rentplus.</p> <p>It is important to note that in 2018 the National Planning Policy Framework (the ‘Framework’) was revised to incorporate a wider definition of affordable housing, now providing four categories; rent-to-buy is included within category d) Other affordable routes to homeownership. The revised Framework also expanded the scope of ‘Affordable housing for rent’ to include not just ‘traditional’ affordable and social rented housing,</p>	<p>Comments noted.</p>

<p>but any scheme which meets criteria where the rent is at least 20% below local market rents, where the landlord is a registered provider, and where any public subsidy is recycled for future provision. Rentplus (working with its partner Registered Providers (RPs)) meets each of these criteria; it does not rely on public subsidy and therefore there is no requirement to recycle it. The then-Planning Minister confirmed in a letter in 2019 that Rentplus meets the Government’s expectation of rent to buy.</p> <p>In this context, the Rentplus model is a hybrid and falls within both categories of affordable housing, as either part of the ‘affordable housing to rent’ element, or as an ‘affordable route to home ownership’. This has also been recognised by several councils across England with whom Rentplus has worked with to deliver homes in recent years. The Rentplus model offers the opportunity for the Council and RPs to diversify the local housing offer without further recourse to public subsidy. The affordable rented period provides families and households with security of tenure, with certainty of management and maintenance by a local partner RP, and critically the opportunity to save towards purchase. As affordable rent to buy meets needs for affordable rent (the only difference being marked by the expectation by all parties of purchase), it comes with a significant benefit of freeing up existing affordable rented homes for others in priority need, as demonstrated by Rentplus schemes across England.</p> <p>In diversifying the overall housing mix, Rentplus can help to create mixed and balanced communities. Rentplus tenants are on a clear path to homeownership, meaning they are more likely to remain in their property for the long-term and therefore better settle into their community. This helps to create a stronger sense of place in new developments in the long run.</p>	
<p>Paragraph 3.2 now sets out the broad categories of affordable housing and footnote 5 explains that they could be updated in future revisions of national policy. This is welcome as it allows the SPD to respond to changing circumstances should the Framework be amended in the future. Furthermore, Page 8 includes a useful table, providing further information regarding various forms of affordable housing such as Rent to Buy, this inclusion is welcomed. Similarly, the Council’s identification of rent to buy as a rented product is welcome – as set out earlier in this representation, Rentplus meets the definition of ‘affordable housing for rent’ in Annex 2 of the Framework.</p> <p>However, we recommend updating the definition of Rent to Buy. There are various models of rent to buy and the Council’s definition as drafted would only encompass a few of these. Revised wording is set out below:</p>	<p>Comments noted. The text of the revised draft SPD has been amended accordingly.</p>

<p><i>A <del>government</del> scheme to help first time buyers, or those returning to the market following relationship breakdown. Households are able to rent a home <del>at 80% of the market value</del> <b>an affordable or intermediate rent</b>, providing an opportunity to build up a deposit. <del>If after the initial five years of letting the landlord wishes to sell the property, the existing tenant should have the right of first refusal to buy it. Similarly, if after the first five years the tenant submits a request to buy their home, it is expected that the landlord would agree.</del> <b>There are different models of rent to buy with different terms and conditions but generally households rent the property for a defined period with the expectation of purchase at the end of the period. Some rent to buy schemes include support towards purchase such as gifted deposits.</b></i></p>	
<p>Paragraph 4.1 outlines the Affordable Housing Need within West Oxfordshire. These figures are taken from the Oxfordshire Strategic Housing Market Assessment (SHMA). The SHMA was produced in 2014 and therefore does not reflect the latest NPPF definition for affordable housing and reflects housing needs as matters stood some six years ago. With this in mind, we urge the Council to commission an updated SHMA that addresses these. Rentplus has worked with Lichfields to produce a methodology for assessing needs for rent to buy, which we are happy to share with the Council.</p>	<p>Comment noted. The SHMA (2014) remains the most up to date evidence available on housing need at this point in time. However, additional text has been added to the revised draft SPD to ensure that the status and age of the SHMA is clearly understood.</p>
<p>Section 5.0 (Future Affordable Housing provision in West Oxfordshire) deals with instances where viability issues mean the affordable housing proportion is reduced. Page 14 explains what will happen where the full proportion cannot be achieved. The SPD ‘misses out a step’ in this respect since it does not cover the potential to change the mix of tenures first. Rentplus notes from recent experience that Councils have accepted adjustments to the overall mix of tenures, to ensure that the full proportion of affordable housing can be delivered. For example, some authorities have accepted Rentplus in place of affordable rented housing since the Rentplus model meets the Framework’s definition of ‘affordable housing to rent’ (the only difference being the expectation of purchase by all parties) but generates higher rates of return than some other affordable products, therefore supporting development viability.</p> <p>The third paragraph on Page 14 should therefore be amended, and suggested wording is set out below:</p> <p><i>Policy H3 also recognises that in some instances, it may not be possible, even on larger market housing</i></p>	<p>Comment noted. The text of the draft SPD is reflective of Policy H3 of the Local Plan. The suggested text is effectively seeking to re-draft Policy H3 which would not be appropriate within the context of the revised draft SPD.</p> <p>Notwithstanding this, a minor amendment to the text of the revised draft SPD has been made to more closely align with Policy H3.</p>

<p><i>schemes, to deliver affordable housing on-site e.g. it is not physically possible or feasible, or there is evidence that a separate site may be more suitable to meet local need. Development proposals which seek to depart from these targets and tenure mix must be supported by evidence that explains why the affordable housing target is “not viable or otherwise appropriate” (Policy H3). If this is the case, the applicant should notify WODC as early as possible through pre-application discussions. In the first instance, the Council will consider adjustments to the tenure mix where this will maximise the overall proportion of affordable housing.</i></p>	
<p>Section 5.3 (Preferred Tenure Mix) outlines that the West Oxfordshire Local Plan highlights a significantly greater need for rented accommodation than for the various forms of intermediate housing, with a ratio of 2:1 in favour of affordable rented homes. Despite this, it also states that each proposal will be a determined on a case by case basis. The draft SPD also provides further guidance with regards to each tenure mix which is welcomed.</p>	<p>Support noted.</p>
<p>The ‘A West Oxfordshire Living Rent’ section states that “WODC is currently undertaking a study to explore a Living Rent model for West Oxfordshire including the level of discount from market rent required to be realistic for local people having regard to typical household incomes.” With this in mind, Rentplus would welcome the opportunity to discuss this matter further. The above sections demonstrate that the Rentplus have considerable experience in this field and their affordable rent to buy model would be an ideal fit for West Oxfordshire.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to provide a clear explanation of the current position in respect of the potential introduction of a Living Rent in West Oxfordshire.</p>
<p>We welcome the production of the Affordable Housing SPD and recommend some minor changes to the policy wording, in order to reflect the requirements of national policy in securing affordable home ownership. Changes are also needed to better reflect the range of rent to buy schemes, which include the Rentplus model which offers greater degree of flexibility and the benefit of a gifted deposit.</p>	<p>Support noted – see various amendments outlined above.</p>

Green Axis	
Issues raised	WODC response
<p>It would be useful to add clarification that self <u>and</u> custom build are treated the same in terms of being a more affordable route to home ownership and hence classified as affordable under the SPD. We suggest including custom build in the 1000 homes site example on page 19 and perhaps include self and <u>custom</u> build in the tabulated definitions on pages 8 and 9.</p>	<p>Comment noted. The text of the revised draft SPD has been clarified in respect of self and custom build housing.</p>
<p>It is encouraging to see the commitment to zero-carbon homes as part of the SPD, together with the extract from the LETI design guide. Our experience is that cost effective low energy housing can be delivered when there is a clear direction and expectation from early stages of a scheme development.</p> <p>As buildings become more energy efficient in operation, by combination of good fabric design and the increasing supply of renewable energy, embodied carbon increases as a proportion of the whole carbon picture and takes on more prominence. We would like to see the SPD recommending the embodied carbon be reviewed as part of the zero carbon design process. This is noted in item 4 of the LETI extract on page 21 but should be made more explicit in the body text.</p> <p>It would be useful to provide a hyperlink to the LETI climate emergency design guide alongside the one provided for the Passivhaus Trust.</p> <p>We would be please to review and offer comment on the Sustainable Design and Construction Checklist when this has reached a draft stage.</p>	<p>Comments noted. The text of the revised draft SPD has been amended to address a number of other comments made on this section.</p>
<p>We fully support the inclusion of MMC as part of the solution to increasing speed of housing delivery.</p> <p>This section primarily discusses the potential for MMC systems to contribute to energy efficiency and compliance with the Future Homes standard. For those readers unaware of the potential benefits which offsite construction brings, we would suggest that the content of this section be expanded to encourage MMC uptake and articulate some or all of the following:</p> <ul style="list-style-type: none"> <li>• Reduced site waste and disposal.</li> <li>• Faster completion reduces impact on local residents.</li> <li>• Less reliance on site trades – improved quality from factory production.</li> <li>• Improved quality and clear stages for inspection to address thermal bridging and airtightness – key contributors to the industry wide gap between designed and as-built performance.</li> </ul>	<p>Comment noted. The text of the revised draft SPD has been expanded to provide further explanation of the benefits of MMC.</p>

<ul style="list-style-type: none"> <li>• Typically lightweight – potential to build adjacent to or over existing buildings (per page 20).</li> </ul> <p>It may be suitable to provide hyperlinks to appropriate trade/professional bodies for further information on MMC specification, design and certification.</p>	
<b>AECOM on behalf of Grosvenor Developments Ltd</b>	
Issues raised	WODC response
<p>We support the production of the SPD, which updates the previous Affordable Housing SPD completed in 2007, which provides an update on additional tenures, types of housing and evidence of need to help in the interpretation of Policy H3 and the refinement of affordable housing provision as a part of new development.</p>	<p>Support noted.</p>
<p>Whilst the SPD covers the entire District and will a material consideration for all planning applications within West Oxfordshire, the OPA for OGV will be determined based on the updated policies within the Area Action Plan (AAP) as this becomes part of the formal Development Plan. The AAP provides a separate affordable housing and overall housing policy (Policy 23, 24, 25 and 26). These policies are informed by a bespoke piece of evidence produced in the form of the Housing Strategy prepared by Icení (as referenced in the draft SPD). The Reg 19 AAP therefore provides an ‘indicative guide’ for both affordable and market homes to aid the determination of the OPA and subsequent Reserved Matters Applications.</p> <p>Grosvenor has been liaising with the Affordable Housing Officers and as part of the planning application has produced an Affordable Housing Statement outlining the situation at the point of submission. Building on the pre- and post-submission working with WODC’s officer team, the Section 106 agreement will therefore outline the affordable housing contributions as part of the development. These discussions are referenced in the WODC affordable housing team’s initial response to the submitted outline planning application, which also outlines the need to include consideration of the wider viability work to help “agree the affordable housing percentage, tenure mix and dwelling mix”.</p>	<p>Comments noted. The Garden Village AAP and associated Outline Planning Application (OPA) are being taken forward through separate processes to the Affordable Housing SPD.</p>
<p>Grosvenor is currently working with WODC and Oxfordshire County Council (OCC) to bring forward an optimal solution for the Garden Village and its supporting Infrastructure, including provision to meet the sub area needs beyond the development itself. Much of this has been identified as a key element of placemaking, as part of the site-specific evidence base and to meet the ambitions for the Garden Village. This wider infrastructure outlined through the AAP and the OPA supporting documents, notably the site-specific Infrastructure Delivery Plan, will be secured through the Section 106 agreement and Section 278 highway agreement mechanisms.</p>	<p>Comments noted. The Garden Village AAP and associated Outline Planning Application (OPA) are being taken forward through separate processes to the Affordable Housing SPD.</p>

<p>The required infrastructure to support the Garden Village is likely to be extensive, such that the draft CIL charging schedule, currently also out for consultation, states that “it should be noted that the five strategic sites allocated in the West Oxfordshire Local Plan 2031 are ‘zero-rated’ for the purposes of CIL for reasons of viability”. This does not mean that the level of infrastructure provided is reduced based on this zero rating. The CIL work includes assumptions for typical section 106 agreements based on the Council’s evidence base provided and concludes that “the Strategic Site test results all indicate marginal negative viability due to the significant site opening up costs and the site specific S106 infrastructure contribution requirements”.</p>	
<p>Grosvenor fully agrees that Design Standards for affordable housing should be no lower than that for market housing and that all developments should be tenure blind.</p>	<p>Support noted.</p>
<p>The draft SPD outlines how any planning applications must take full consideration of the policy requirements of the Local Plan. However, it is clear that the type of housing supported under the Zero Carbon homes section far exceed these standards and are therefore not covered by the Local Plan viability assessment or the assumptions within the CIL viability assessments.</p> <p>Whilst WODC outline a position where they ‘support and encourage’ the delivery of this type of housing, it is clear that the full costs of delivering this should be considered for all sites, particularly those with large on and off site infrastructure associated with their delivery as outlined above. The draft SPD continues to say that those applications which “achieve exemplary standards in line with the Sustainable Design and Construction Checklist will be favoured in the determining of planning applications for affordable housing” although this is not clear how this relates to wider development or allocated sites.</p> <p>As a result it would be useful for the SPD to outline the different costs associated with a building regulations compliant form of affordable housing against one with exemplary standards of fabric-energy efficiency, net-zero carbon in operation and 100% of its annual energy demand provided for by roof mounted solar advocated in the SPD. If this is not available, the uplift in costs associated with these extra features to meet aims beyond the provision of affordable homes would also be very helpful, alongside any evidence that this can be delivered at scale. It would also be useful to outline these costs, both before and after the tenure type discount (Social rent/ shared ownership etc) is applied, and for WODC to be clear on if they are advocating accepting a lower level of affordable housing built to higher standards (ultimately the same cost to the developer of a site) or maintain the overall level of affordable housing but increase build costs. This is particularly important for those already identified to deliver 50% affordable housing.</p>	<p>Comments noted. The text of this section of the revised draft SPD has been amended accordingly.</p>

<p>The future AAP, which again has different housing policies and Fabric Energy Efficiency Standards (FEES), should be supported by appropriate viability work which supports all of the policy requirements and is due to be imminently released for consultation. The supporting evidence base to support the policies of the AAP, in line with the standards advocated in the SPD, could be useful in informing the SPD.</p>	<p>Comments noted. The Garden Village AAP is being taken forward through a separate process to the Affordable Housing SPD.</p>
<p>The summary tables provided in the draft SPD provides a useful outline of the different types of affordable housing, both for sale and rent, which could form part of affordable housing provision across West Oxfordshire. Whilst not covering all forms, the below section refers to a number of forms of affordable housing referenced in the draft SPD:</p> <p><u>First Homes</u></p> <p>Whilst it was anticipated in the draft, the Government proposals on the introduction of 'First Homes' began during the consultation period for this SPD.</p> <p>Given the current consultation on First Homes and the Government's transitional proposals to include 25% of all affordable housing as First Homes, the indicative mix within the SPD may have to be amended to reflect this potential new tenure aimed at first time buyers (i.e. 1 &amp; 2 bed homes). The indicative size mix for affordable housing appears to reflect the SHMA which was dated 2014, and may not consider current demand due to changes in welfare reforms. Furthermore, the dwelling size mix is not reflective of the waiting list which provides more up to date evidence. The choice base lettings evidence clearly shows that 85% of affordable housing should be 1 &amp; 2 bed, not 65% as per the proposed split. This is further confirmed in the last 3 years waiting lists which all show the same data (over 85% needing 1 &amp; 2 bed homes).</p>	<p>Comments noted. The text of the revised draft SPD has been amended to include clearer reference to the potential role of First Homes as part of the overall mix of affordable housing solutions in West Oxfordshire.</p> <p>With regard to the SHMA (2014) at the current time, it remains the most up to date evidence available on housing need in West Oxfordshire including affordable housing need. However, additional text has been added to the revised draft SPD to ensure it is clear that the SHMA provides an indicative size mix only and that the Council will have regard to more recent information including the latest housing register information.</p>
<p>Local Housing Allowance - If Affordable Rent is capped at Local Housing Allowance (LHA) levels, Social Rent is not required as the LHA ensures that households on full benefits can afford the rent charged. As a result, the inclusion of Social Rent would not increase access to housing (i.e no additional households would be able to access a Social Rented tenure, who would otherwise not be able to access a Local Housing Allowance capped tenure).</p>	<p>Comment noted. Affordable rent even if capped at Local Housing Allowance Levels is still potentially less affordable than social rent. They are two different 'products' and one does not supersede the need for the other. No change.</p>
<p>WODC living rent - Whilst the principle of Living Rent is supported, increasing the proportion of Shared Ownership in current policy may provide a simpler solution, with first refusal for existing tenants. Furthermore, if Living Rent is introduced, the increase in transfer value from Affordable Rent to Shared</p>	<p>Comment noted. The text of the revised draft SPD has been amended to provide a clear explanation of the current position in</p>

<p>Ownership should be paid to the developer/landowner as this tenure offers a higher transfer value.</p> <p>Given the build out timescales associated with OGV, the uptake of Living Rent may alter the relationship between shared ownership and affordable rent at later stages of the project and could create uncertainty in delivering different tenures of affordable housing on site in the future.</p> <p>The SPD states that full details on the Living Rent will be available in Q3 2020. At mid-August, we are fairly advanced into Q3 and it would be useful to understand when this report will be available, what level of discount is envisaged and sufficient consideration given ahead of the next draft of the SPD.</p>	<p>respect of the potential introduction of a Living Rent in West Oxfordshire.</p>
<p>Starter homes - In respect of Starter Homes it would be helpful to set out what level is sought on development sites. The 20% requirement is not consistent with WODC's proposed tenure ratio, as it would result in 30% rented and 20% starter homes (or 60/40 split), compared to WODC's proposed 2:1 ratio (66/33 split). Furthermore, this split does not include other affordable ownership tenures such as Shared Ownership, which WODC has stated as its preferred ownership tenure.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to clarify that the District Council will consider the potential for starter home provision alongside consideration of other low cost affordable home ownership options.</p>
<p>Other Specialist Housing - The provision of key worker housing, particularly during the current climate, is supported and the clear identifier that WODC will "seek innovative methods to bring forward proposals to provide key worker accommodation and offer assistance in facilitating liaison with key contacts" is very helpful. Will these workers be given any priority in future lettings/sales and if so will the tenure mix be amended to reflect the need for affordable ownership tenures?</p> <p>It is also useful for the draft SPD to include specific reference to Community-led housing which is also an aspiration for OGV. It would be useful to provide additional detail on the forms of affordable (and market) community led housing forms WODC have listed in the SPD and the ways in which their delivery will be supported by WODC.</p> <p>Furthermore, there is little reference towards extra care/elderly housing in the draft SPD. Given the growing and pressing demand for this form of housing. It would be useful to see how this has influenced the proposed housing mix to form the basis of future proposals for this form of housing across the District.</p>	<p>Support noted.</p> <p>The text of the revised draft SPD has been amended to make it clear that where new affordable homes are provided on the basis of them being made available to essential local workers/key workers, the District Council will take this into account in discussions with the developer/applicant and Registered Providers in determining the most appropriate tenure mix.</p> <p>In addition, a weblink has been provided within the revised draft SPD to take the reader to the Council's community led housing web pages to provide further</p>

	<p>detail.</p> <p>Additional text has been included in the revised draft SPD in respect of potential specialist housing provision including extra-care.</p>
<p>Section 4 also needs to include affordable homes provided from grant funding, such as Homes England's Affordable Housing Programme, and the Oxfordshire Affordable Housing Programme, so that a full picture of affordable housing delivery is provided. This should also be broken down to sub areas and also include affordable ownership and other ownership tenures to provide the full picture. The information provided highlights the disparity between the high need for 1 bed accommodation and the majority of existing affordable provision which is 2 &amp; 3 bed across the District. It would also be useful to have sub area housing need identified so that specific sites can consider specific affordable housing needs.</p>	<p>Comments noted.</p> <p>It is not considered necessary to include specific information on affordable homes provided from grant funding within the SPD.</p> <p>Affordable housing needs have not been defined on a sub-area basis either through the Oxfordshire SHMA (2014) or the West Oxfordshire Local Plan 2031 so it is not possible to provide this information within the SPD either.</p>
<p>Section 8.3 of the draft SPD usefully outlines the nomination, choice based letting and allocation processes operating in West Oxfordshire. What is unclear however is the role of Oxford City, the agreement with West Oxfordshire to provide for some of their unmet need and their role in the allocation process. This would therefore likely influence both the OGV site and the West Eynsham Strategic Development Area which this SPD covers. This is something that the Reg 19 AAP indicates is 'ongoing'.</p>	<p>Comments noted. West Oxfordshire District Council and Oxford City Council is in the process of entering into a memorandum of understanding on this issue which will be made publicly available in due course.</p> <p>Additional text has been added to the revised draft SPD to explain this process.</p>

Issues raised	WODC response
<p>Under Shared Ownership, references made to Registered Providers (RPs) should be amended to 'the freeholder'. Whilst RPs are the normal owner, other organisations can now own Shared Ownership dwellings, and this should be reflected accordingly in the definition.</p>	<p>Comment noted. The explanation of shared ownership already refers to the freeholder, which is usually a registered provider. This is considered to adequately cover the point being made.</p>
<p>The reference that all affordable housing should be provided in perpetuity or for the sales/proceeds to be recycled is not in line with the National Planning Policy Framework, as this is only required in rural exception sites or grant funded sites. This would also make rent to buy tenures difficult to implement. It should be made clear in the SPD that where developer contributions enable affordable housing without grant funding, this restriction should be removed.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to more accurately reflect the NPPF.</p>
<p>The different tenures proposed may impact viability and will need to be appropriately tested to conclude the levels of overall affordable housing. It will also be important for larger sites to be assessed on a site by site basis, considering both the existing affordable housing in the local area, along with demand from the waiting list based upon those who have stated a preference for the local area, and planned provision of affordable via grant funding and other nearby sites.</p>	<p>Comment noted. The text of the revised draft SPD has been amended to emphasise that the size and tenure mixes included are indicative only and that each proposal will be considered on an individual case-by-case basis.</p>
<p>Given the Government's recent proposals in 'Changes to the Current Planning System' and 'White Paper', the reference to s106 agreements and delivery of affordable homes may require an update to include the proposals and appropriate caveats accordingly.</p>	<p>Comment noted.</p>
<b>Irwin Mitchell on behalf of Inspired Villages</b>	
Issues raised	WODC response
<p>Inspired Villages operates and develops retirement communities and are majority owned and funded by Legal &amp; General. At the time of writing, there are six operational Inspired villages throughout England; which provide some 800 residents with an independent lifestyle, whilst also providing the care and support that may be required throughout retirement as they age in place.</p> <p>Inspired Villages is committed to expanding their provision in the UK and aim to be running 50 operational villages within the next ten years. In fact, they are proposing a new retirement community within West Oxfordshire, which is intended to provide up to 160 units of C2 accommodation along with associated communal and care facilities.</p> <p>We are concerned that the Council's draft SPD, as drafted, fails to take into account the different operating</p>	<p>Comments noted.</p>

<p>models that comprise housing for the elderly (and in particular the distinctions between retirement communities and sheltered housing).</p>	
<p>Retirement communities have higher levels of non-revenue generating floorspace than a typical sheltered housing scheme (or standard residential development), and higher operating costs due to staffing, maintenance, etc. By way of illustration the proposed retirement community for West Oxfordshire would have a gross internal area of approximately 17,000 sq.m of which approximately 4,200 sq.m would be communal facilities, communal areas, i.e. 25% of the floor space would be non-saleable. This does have an impact on the overall viability of such developments, which reduces their ability to provide affordable housing contributions at all.</p> <p>The Council has recognised this, in part, by reducing the level of affordable housing required from retirement communities, although we do remain concerned that the levels set in the Council’s local plan do over-estimate the amount of financial headroom available on extra-care development schemes. This is particularly true when the impact of the proposals in the draft SPD are considered in combination with the proposed CIL charge for extra care schemes (which is also currently out for consultation).</p> <p>We welcome the SPD’s recognition that not all developments will be able to provide a policy compliant level of on-site affordable housing because of their viability position. Unfortunately, despite the efforts the Council has already made to date, we are concerned that the policy level of provision for extra care developments has been set too high. As such, we suspect that most new extra-care developments that come forward within the district are likely to have concerns over viability that will need to be addressed through the planning application process.</p>	<p>Comments noted. The viability of Local Plan Policy H3 including the requirement for affordable housing as a proportion of market-led extra-care housing schemes has already been independently tested and it is not the role of the SPD to revisit that analysis or the conclusions reached.</p> <p>Additional text has however been added to explain the conclusion reached through the Local Plan process.</p>
<p>A key feature of an Inspired village is that, with the exception of the care services, the entire village is managed and looked after by a single operator. The single management structure is vital for ensuring an integrated service for our residents, so they can access the care and support that they require easily and efficiently. The facilities that form part of an Inspired village are funded through service charges, which are levied at a flat rate per unit – every household contributes the same amount regardless of the size or value of the unit. The service charge structure adopted by Inspired has been chosen to ensure that every incoming resident has a complete understanding of how the service charge is calculated, how it is spent and the value for money that it provides. For this reason, the way that Inspired’s service charges are calculated is fixed centrally and broadly consistent across all Inspired villages.</p>	<p>Comments noted. Local Plan Policy H3 clearly sets out the circumstances in which a financial contribution towards off-site provision of affordable housing may be appropriate.</p> <p>This is considered to be adequately reflected in the SPD as is the fact that the precise nature of any on-site provision will</p>

<p>The importance of the single management structure to the operation of an Inspired Village, and the need to maintain certainty and transparency for all residents over service charges, means that it is very difficult to incorporate traditional rental tenures of affordable housing into a retirement community. The need to maintain the single management of the whole development does not sit easily with the requirements of a registered provider, who often like to retain control over the maintenance of their units and the services provided to them. Similarly, registered providers often seek a reduction in service charges for the units that they take. This is extremely difficult to facilitate on an Inspired development, as the changes to the service charge structure would need to be explained to all residents, which would not assist in the integration of any affordable housing units to the wider development. It would be inherently unfair if those residents of the private units were required to subsidise those in the affordable units, with the service charge paying towards the provision of all services and facilities on-site which all residents have equal access to.</p> <p>With this in mind, it is often preferable for any affordable housing contribution from retirement communities to be provided off-site; as it allows greater freedom of choice for the Council as to who is able to occupy the affordable housing units. On-site provision in a retirement community will necessarily be restricted to potential residents who are over 65 and either in need of care or likely to be in need of care in the foreseeable future.</p> <p>Where on-site provision is required, the tenures of affordable housing which are more likely to integrate successfully are those which allow for the single overall management of the development – i.e. those types of discount market sale, discount market rent and shared ownership models which do not require the involvement of a registered provider and can be managed, maintained and sold/rented out by the operator.</p>	<p>be considered on a case by case basis.</p> <p>As such, no change is considered to be necessary.</p>
<p>Whilst the Council’s draft SPD does make reference to a wide range of potential forms and tenures of affordable housing being permitted, this is undercut by the Council’s decision not to adopt Discretionary Social Housing Relief as part of its CIL consultation. If this decision is not amended, then all non-traditional forms of provision (such as discount market sale), will be charged CIL at the same rate as those units for sale on the open market. This is likely to negatively impact on the viability of those schemes that are best suited to non-traditional tenures, such as retirement communities, which will only serve to reduce the overall levels of affordable housing that these developments can provide.</p>	<p>Comment noted. The Council’s CIL consultation is a separate process and the issue of discretionary social housing relief will be considered as part of that process.</p>

Issues raised	WODC response
<p>We would urge the Council to:</p> <p>1. Amend its affordable housing SPD to recognise retirement communities as a form of development which are:</p> <ul style="list-style-type: none"> <li>a. more likely to have viability concerns over the headline level of affordable housing provision required by the Council;</li> <li>b. more likely to need to provide contributions to off-site affordable housing provision; and</li> <li>c. Where on site provision is feasible, likely to need to adopt a mix of less-traditional tenures, such as discount market rent, discount market sale or shared ownership.</li> </ul> <p>2. Adopt discretionary social housing relief from CIL so as to avoid penalising developers who do opt for less traditional tenures as part of their developments.</p>	<p>Comments noted. Additional text has been added to the revised draft SPD in respect of specialist housing including extra-care.</p> <p>With the viability of Local Plan Policy H3 already having been tested as part of the Local Plan examination (and reduced rates applied to extra-care housing accordingly) it would not be appropriate for the SPD to revisit issues of viability.</p> <p>As set out above, Policy H3 and in turn the SPD as currently drafted already adequately recognise the potential circumstances in which an off-site financial contribution may be appropriate as well as the fact that the precise nature of any on-site provision will be considered on a case by case basis.</p> <p>The Council's CIL consultation is a separate process and the issue of discretionary social housing relief will be considered as part of that process.</p>

<b>Defence Infrastructure Organisation</b>	
Issues raised	WODC response
<p>We welcome the recognition in the document that military personnel are essential local workers so provision for their accommodation would count towards meeting affordable housing needs. We would also point to the proximity need for such provision and national guidance applicable which may mean that the mix being sought for other types of affordable housing may not be appropriate.</p>	<p>Comment noted.</p>
<b>Turley on behalf of the North Witney Land Consortium</b>	
Issues raised	WODC response
<p>It is essential that the preparation of this SPD should not fetter or obstruct in any way, the ability of the Local Plan to support sustainable development over the period to 2036. More fundamentally, we note that the SPD seeks to establish new policy requirements and expectations which are not contained within Development Plan Documents. We note that the PPG explains the role of SPDs and states that:</p> <p>“Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.”</p> <p>Consequently, this SPD should only provide more detailed advice or guidance on policies in the adopted Local Plan. The SPD should not, as appears to be the case in some circumstances, seek to amend or change the requirements of the Local Plan.</p>	<p>Comment noted.</p>
<p>The Affordable Housing SPD seeks to build on the guidance contained within the adopted Local Plan 2031 which sets the overarching requirements in respect of affordable housing under Policy H3. It is clear from the consultation document that there continues to be a significant need for affordable housing in the District and that the SHMA identified need for 274 affordable dwellings per annum has only been met in 2019/20, with significant shortfalls in the preceding years of the Plan period.</p> <p>It is important therefore that the SPD helps to maximise the level of affordable housing which can be delivered and does not reduce the rates achieved by introducing additional requirements with an increased cost burden which may reduce the viability of schemes, particularly given the proposed move towards introducing CIL in the District.</p>	<p>Comment noted.</p>

<p>We support the recognition that the indicative size mix for affordable housing as set out in the Local Plan is a guide only and that consideration of local circumstances and any identified local needs will need to be taken account of. The same recognition is equally applied to the preferred tenure mix, whilst noting the higher need for rented accommodation. It is noted that the Council are currently undertaking further work on a potential Living Rent model and we will wish to review and provide comments on this when available as part of future work on the SPD.</p>	<p>Support noted. The text of the revised draft SPD has been amended to provide a clear explanation of the current position in respect of the potential introduction of a Living Rent in West Oxfordshire.</p>
<p>Custom and self-build. We consider that this section of the SPD should be deleted entirely. Policy H5 of the Local Plan requires that all housing developments of 100 or more dwellings to include 5% of the residential plots to be serviced and made available for custom and self-build housing. The SPD states that on qualifying sites, 5% of the affordable homes should also be made available for custom and self-build housing. It is considered that further evidence is required to demonstrate the support of the registered providers to enable this form of delivery to ensure this will not delay and restrict the delivery of much needed affordable homes. Policy H5 of the Local Plan states that if any of the serviced plots/units offered for custom/self-build/self-finish remain unsold after 12 months marketing, they may be built out by the developer. It is unclear within the wording of the SPD how this work in respect of the affordable housing element and whether the plots would revert to the developer (and revert to market housing) or to the registered provider. Currently concern is raised that the proposed approach will result in further delays and uncertainty in the delivery of affordable housing and reduce the viability of schemes accordingly.</p>	<p>Comments noted however the definition of self-build and custom-build housing set out in the NPPF makes it clear that such housing can be either market or affordable housing.</p> <p>Notwithstanding this, the text of the revised draft SPD has been amended to clarify the Council's approach and to make it clear that the provision of affordable custom and self-build opportunities on qualifying sites will be a matter for discussion on a case by case basis factoring in all relevant considerations. Further information has also been added in relation to the reversion of such plots to a developer/registered provider in the event of insufficient interest from those on the Council's custom/self-build register.</p>
<p>Design criteria. Whilst the proposed design criteria are generally supported, it is considered that they should recognise the likelihood of affordable housing being provided in clusters for ease of management. The third bullet should therefore be amended as follows:</p> <ul style="list-style-type: none"> <li>Affordable units should be distributed evenly <u>in clusters</u> throughout the development where practicable to promote social inclusion and mixed communities. The exception to this is in relation to the design and provision of housing for older people and developers will need to demonstrate why a deviation is required when seeking approval.</li> </ul>	<p>Comment noted. The text of the revised draft SPD has been amended to refer to 'clusters' of affordable housing units as suggested.</p>

Issues raised	WODC response
<p>Space standards - It is important to recognise that it will not be appropriate or achievable to meet the nationally prescribed space standards for housing in all instances. The design of developments will need to take account of individual site characteristics, viability and market demand. As such the proposed recognition of the SPD that these standards cannot be required on all developments is supported.</p> <p>Furthermore the NPPF and PPG make clear that the nationally prescribed space standard should only be required where the need for an internal space standard has been justified. No such justification has been provided in support of the SPD and as such reference to the standards should be deleted.</p>	<p>Comments noted. It is important to note that the SPD is not seeking to require the use of the Government's nationally prescribed space standards for new housing, rather it explains that this will be encouraged which is very different. No change.</p>
<p>Zero-carbon homes. We are unclear why the Affordable Housing SPD is considered to be the appropriate mechanism for seeking to introduce additional measures to seek to tackle the climate and ecological emergency the Council has declared.</p> <p>It is understood that at this stage these measures are proposed to be required in relation to affordable homes only, an approach seemingly at odds with the design criteria requirement for tenure blindness. From the consultation document it is unclear what discussions the Council has had with registered providers with regards to the additional costs required to go above and beyond in terms of delivering exemplary standards of sustainability and whether any viability assessment has been undertaken. Indeed it is noted that the requirement has not been assessed in the viability assessment to inform the current CIL Charging Schedule consultation. The proposed requirement to go above and beyond is also open to significant differences in interpretation and provides no clarity as to what is actually required by the Council.</p> <p>In light of the above comments it is considered that this element of the SPD should be removed. If the Council wish to introduce greater sustainability requirements this should be in the form of a separate SPD and consider all forms of development, including non-residential, and should include the Sustainable Design and Construction Checklist currently proposed to be developed. The requirements of any future SPD should also be considered in a review of the Council's CIL to ensure it does not render developments unviable.</p>	<p>Comments noted. The text of this section of the revised draft SPD has been amended accordingly.</p>

<p>Viability. We note the Council has highlighted that the viability of the level of affordable housing provision required was tested at the Local Plan stage. It is important to note however that the SPD is seeking to introduce a series of additional requirements which will add to the cost of delivery of affordable housing. These additional costs will need to be weighed in the development of proposals for the site to maintain viability, particularly in light of the proposed introduction of CIL. Policy H3 remains the relevant and appropriate policy context and it is considered unnecessary for this SPD to add to those requirements.</p>	<p>Comments noted.</p>
<p><b>Oxfordshire County Council</b></p>	
<p>Issues raised</p>	<p>WODC response</p>
<p>Oxfordshire County Council are broadly supportive of the SPD, but recommend a small number of amendments including reference to OCCs Market Position Statement 2019 and a statement requiring developers to consider the need for supported living developments within housing developments.</p>	<p>Support noted.</p>
<p>Section 5.1 page 12 - Support range of 35%-50% affordable housing on qualifying sites. Request explanation as to why this drops for Extra Care Housing as larger schemes are more viable than smaller ones and the greatest need for ECH units is for those at social or affordable rent.</p>	<p>Comment noted. The reduced affordable housing requirement for extra-care housing was considered and agreed as part of the examination of the West Oxfordshire Local Plan based on development viability considerations. Additional text has been added to the revised draft SPD to explain this.</p>
<p>Section 5.2 page 15 - Request increase in proportion of one bed properties in line with CBL data = 52% need for 1 bed properties. The pressure on one beds is exacerbated by the need to accommodate single young people, care leavers and homeless adults who are moving on from supported housing. Also request that WODC consider requiring that a proportion of affordable rented housing be provided in the form of HMOs to ensure a supply of shared accommodation for single people under the age of 35, particularly in market towns (on the basis that under 35s only qualify for the single room rate in terms of the housing costs covered by Universal Credit).</p>	<p>Comment noted. The text of the revised draft SPD has been amended to highlight the importance of 1-bed properties.</p>

Issues raised	WODC response
<p>Section 5.3 page 16 - Would like developers to be required rather than to explore to provide new homes at social rent levels rather than 'affordable' levels which are still out of reach of many single people and lower income households.</p>	<p>Comment noted. However, Policy H3 of the West Oxfordshire Local Plan and the viability evidence which underpins it is predicated on the basis of a combination of affordable rent and intermediate forms of affordable housing rather than social rent. As such, it would not be appropriate for the SPD to effectively introduce a policy requirement for social rent.</p>
<p>Section 6.0 page 20 - Support high design standard for affordable housing. Request that bedroom sizes in 3 bed properties adhere to the Housing Act to accommodate full size bed and furniture and avoid overcrowding.</p>	<p>Support noted. Additional text has been added to the revised draft SPD to address the issue of bedroom sizes in 3-bed properties.</p>
<p>Section 6.2 page 20 - Support need for 5% of homes to be wheelchair accessible with sufficient internal space. Request that in these homes the ceilings are strong enough to support track hoists and to allow stairlifts to be fitted where there is a need.</p>	<p>Support noted. The 5% requirement relates to wheelchair adaptable dwellings rather than wheelchair accessible dwellings, however some additional text has been added to refer to the issues of ceiling strength and stairlift provision.</p>
<p>Section 6.3 page 27 - Welcome wide definition of keyworkers and prioritised classification on choice based lettings. Welcome development of keyworker housing by Blenheim Estate. Suggest that these could be made available to key workers employed outside of Blenheim.</p>	<p>Comment noted. Blenheim key workers are not just for those employed by Blenheim and as such, no change to the revised draft SPD is considered necessary.</p>
<p>We would like to see reference made to Oxfordshire County Council's market position statement 2019 and a statement requiring developers to consider the need for supported living developments within housing developments. These are generally 4-8 unit blocks of accommodation for people with a learning disability and/or autism and need to be situated close to infrastructure and facilities. We have a significant shortage of this type of accommodation to meet current and future needs.</p>	<p>Comment noted. Additional text has been added to the revised draft SPD to address this issue.</p>

Issues raised	WODC response
<p>This is a supplementary planning document and as such sets out the supporting information in light of the adopted policy Local Plan policy H3. It provides clarification of what is considered affordable housing and other definitions relating to the policy including when and how financial contributions may be more appropriate than on site provision.</p> <p>On review there are no specific amendments which would be required in terms of the remit of the Estates team and their land interest within the West Oxfordshire District.</p> <p>It is noted however that with the recent release of the planning white paper and opening of consultation on various policy tools, including First Homes, the proposed SPD may require an early review or amendments.</p>	<p>Comment noted.</p>
<p>Section 2.1 page 6 - The SPD refers to NPPF revised in July 2018, there has since been the February 2019 update.</p>	<p>Comment noted. The revised draft SPD has been amended to include reference to the NPPF 2019.</p>