



Dacorum Borough Council

Local Planning Framework

DACORUM CORE STRATEGY EXAMINATION IN PUBLIC

Statement by Dacorum Borough Council

Issue 7: Affordable Housing, Gypsies and Travellers

September 2012

Purpose of this statement

The purpose of this statement is to summarise the Council's position regarding the following issues raised by the Inspector in advance of their discussion at the public hearing sessions.

To avoid repetition this statement includes cross references to appropriate technical work and includes relevant extracts as appendices.

Matters raised by Inspector

- 7.1 There is a significant need for affordable housing in the Borough (5,300 dwellings over the plan period) but this will not be met. Has sufficient weight been attached to addressing this issue?
- 7.2 What is the justification for the differentiation between provision in Hemel Hempstead (on sites of 10 dwellings plus) and elsewhere (on sites of 5 dwellings plus)? In what way will sites be promoted as stated in Policy CS20?
- 7.3 Have the needs of gypsies, travellers and travelling showpeople been adequately addressed in accordance with national advice. Are any of the criteria in Policy CS22 unduly restrictive? What is the justification for restricting site capacity to 15 pitches? Why does the policy not indicate how many sites / pitches should be provided over the plan period?

Dacorum Borough Council's Response

7.1 There is a significant need for affordable housing in the Borough (5,300 dwellings over the plan period) but this will not be met. Has sufficient weight been attached to addressing this issue?

7.1.1 Dacorum Borough Council welcomes the Government's recent announcements to help improve the delivery of much needed housing and to kick start the economy. The Council is committed to addressing the issue of local affordable housing across a range of tenures to meet a wide range of housing need. Affordable housing is a corporate priority and the Authority recognises the challenge of affordable housing need within the Borough (Challenge 1, paragraph 4.2: Examination Document SUB1)

7.1.2 Already, the measures the Council has taken have delivered over 600 new homes in Dacorum last year, 149 of which were affordable (see Appendix 1 attached). The Council has already allocated £4.2million to support the delivery of new affordable homes which both meet the needs of local people and reduce pressure on the Council's own housing register. The Pre-Submission Core Strategy proposes a step change in the delivery of new housing to provide at least 10,750 new homes in the Borough by 2031, making the best use of previously developed sites and protecting the essential character of Dacorum's towns and villages.

7.1.3 Dacorum's position in the south east and close to London means that the need for affordable homes remains very high. It is considered that the requirements set out in Policy CS19: Affordable Housing for developers to make provision within new housing schemes is fair. The Council has reviewed its approach to the provision of affordable housing and a new Affordable Housing SPD is currently open for public consultation. The new Affordable Housing SPD (Examination Document HG18) reflects the challenging economic times and incorporates the very latest ways by which affordable homes are provided, including the new

affordable rent model and measures such as FirstBuy for which additional resources have been announced by the Government. National evidence shows a clear and flexible Affordable Housing SPD supports rather than hinders housing delivery, and this is the approach the Council wishes to progress.

7.1.4 The issue of housing need is considered in detail in the new Housing Needs Study (Examination Document HG17) and within the Background Paper – Selecting the Core Strategy Housing Target (Examination Document SG16).

7.1.5 Delivering affordable housing on new developments is not the only approach the Council is taking to tackle housing need. In the field of private sector renting Dacorum Borough Council is leading the way. It is poised to introduce a new private sector housing leasing scheme which will encourage landlords to make properties available, by guaranteeing minimum rents. Increased funding in this area will help to bolster the important role played by the private sector in delivering affordable housing within the Borough; in addition to the new affordable housing planned as part of the Core Strategy. The Council already runs a successful Private Sector Rent Deposit Scheme and plans to extend this in the future to respond to Government legislation allowing Councils to discharge Homelessness duty into the private sector. This will ease the numbers of households with a housing need and is a real alternative for the Council to resolve housing issues.

7.1.6 The Council is one of two local authorities in the East of England to be granted Development Partner status under the Homes and Communities Agency Affordable Homes Programme 2011-15. This allows the Council to embark on its own new build programme. A number of schemes will be developed with HCA funding. A number of new schemes will also be developed using the Council's own resources. These new homes will be let at an affordable rent level to applicants from the Council's Housing register.

7.1.7 The Council continues to work with Housing Associations (Registered Providers). The Council has funding available to support this co-operation and will continue to work with them to provide new affordable homes.

7.1.8 It is accepted that need within the Borough is high and when viewed in isolation a 35% affordable housing requirement as contained in CS19: Affordable Housing will provide less than the predicted requirement over the plan period. A 35% target is however considered to be reasonable and achievable when compared with economic conditions and the different tenures which can be considered as affordable housing. The Council acknowledges the need to balance Government requirements to develop new housing whilst meeting local housing need via a range of options rather than just one approach.

7.1.9 The Council has tested the issue of viability of affordable housing through Affordable Housing and Section 106 Viability Study (Examination Document HG11). This study put forward three options for the Council to consider, all of which were based around a suggested target of 40%. Affordable housing is a fast-moving policy area and the Council needs to consider its recommendation in the context of the current funding regime and economic and political climate. The

Council has considered the recommendations from the Viability Study in this wider context and has concluded 35% is appropriate and deliverable, supported by the new Affordable Housing SPD. Previously, local developers have accepted 35% is deliverable alongside pragmatic and flexible discussions on tenure changes to assist with delivery. 35% affordable housing provision is also widely accepted by larger developers as an acceptable level to begin negotiations regarding affordable housing delivery.

7.1.10 Policy CS19 (as amended by MC27) does provide flexibility to allow for contributions in excess of 35% to be sought on specific sites, subject to considerations of viability and need. This approach is reflected in the requirement for the Local Allocations to provide “around 40%”. Precise levels for these and other identified sites will be set out in the Site Allocations DPD (and East Hemel Hempstead Area Action Plan, if appropriate).

7.1.11 Policy CS20: Rural Sites for Affordable Homes and, to a lesser extent, Policy CS6: Selected Small Villages in the Green Belt, will also play a role in delivering affordable homes. The need for affordable homes is known to be particularly high in rural parts of the Borough. There is therefore an expectation that 100% of homes delivered through Policies CS20 and CS6 will normally be affordable. The Council has recently appointed a Rural Housing Enabler whose role is to work with Parish Councils and Registered Providers on behalf of the Council to facilitate delivery of affordable housing within rural area.

7.1.12 With the combination of the new policies and practical initiatives the Council is confident that affordable housing needs will be met by a range of solutions. Approximately 3,900 affordable units are expected to be delivered by the application of the 35% target in Policy CS19 over the plan period (as stated in the footnote to paragraph 14.32 of the Pre-Submission Core Strategy). Other affordable housing initiatives being supported by the Council will help ensure this figure is met and, if possible, exceeded. Figures for affordable housing completions for 2011/12 are set out in Appendix 1. If this current trend is projected forward, and combined with an expected increase in contributions from schemes such as FirstBuy and the Council’s own build programme, then delivery of affordable units remains strong. This assumption is supported by the schedule of affordable housing commitments set out in Appendix 2 (attached). This schedule reflects current information is reviewed a regular basis to provide the most up to date information regarding the affordable housing pipeline. It will therefore be added to over time.

7.1.13 The Council therefore considers that appropriate weight of the issue of delivering new affordable housing has been addressed by this policy in the context of development viability, clarity of policy within the SPD and the desire of the Council to increase the rate of housing delivery of all tenure types.

7.2 What is the justification for the differentiation between provision in Hemel Hempstead (on sites of 10 dwellings plus) and elsewhere (on sites of 5 dwellings plus)? In what way will sites be promoted as stated in Policy CS20?

7.2.1 Policy CS19: Affordable Housing requires *all* housing sites, regardless of location to provide a 35% affordable housing contribution (or higher figure where separately specified). The thresholds on 10 dwellings plus in Hemel Hempstead and 5 dwellings plus elsewhere in the Borough relates the levels at which on-site provision will be required. On sites below these thresholds a contribution will be sought in lieu, through payment of a commuted sum. This is a continuation of the approach contained within Policy 20: Affordable Housing of the Dacorum Borough Local Plan 1991-2011 (Examination Document OT1).

7.2.2 The differentiation between Hemel Hempstead and the rest of the Borough reflects the fact that sites have historically been much smaller, and are expected to continue to be much smaller, outside of the principal town. It is important to maximise opportunities for on-site delivery outside of Hemel Hempstead as house prices are generally higher and opportunities for spending commuted sums lower in these areas due to land availability. The approach reflects one of the options put forward in the in the Affordable Housing and Section 106 Viability Study (Examination Document HG11).

7.2.3 If the Inspector feels that it would be preferable to have a consistent threshold approach, the Council is willing to consider reducing the threshold across the Borough to on-site provision of affordable housing over 5 units, with a commuted sum payment for 4 units and under. This reflects one of the alternative options put forward in the Affordable Housing and Section 106 Viability Study (paragraph 6.27 of Examination Document HG11).

7.2.4 Mechanisms for promoting sites are set out in the delivery section that covers Policies CS19 and CS20 (and follows Policy CS20). This sets out a range of delivery mechanisms, the most important of which will be the allocation of sites for affordable housing through the Site Allocations DPD and East Hemel Hempstead Area Action Plan and working in partnership with developers, the Parish Councils, local communities, landowners, developers, the County Council and Registered Providers. Other initiatives referred to in Question 7.1 above will also play an important role.

7.3 Have the needs of gypsies, travellers and travelling showpeople been adequately addressed in accordance with national advice. Are any of the criteria in Policy CS22 unduly restrictive? What is the justification for restricting site capacity to 15 pitches? Why does the policy not indicate how many sites / pitches should be provided over the plan period?

7.3.1 The Council's approach to meeting the needs of Gypsies and Travellers has been carefully developed in the light of assessments and consultation with the local Gypsy community, local residents, key stakeholders and other parties, both on general policy and on specific site options or locations. Consultation on the Site Allocations DPD informed development of an initial draft policy. This was agreed by the Council's Cabinet on 31/3/2009 (Examination Document CS18). This wording has been subject to some amendment, although the original principles remain either within the policy itself, or form part of the supporting text (paragraphs 14.42 and 14.43 of the Pre-Submission Core Strategy). These principles have therefore been subject to extensive consultation through the

following:

- Emerging Core Strategy (Examination Document CS8), which included direct consultation with the local Gypsy and Traveller community (summarised in the Report of Consultation – Volume 4 Annex B: Examination Document SUB6);
- Consultation Draft Core Strategy (summarised in the Report of Consultation, Volume 6: Examination Document SUB6); and
- Pre-Submission Core Strategy (summarised in the Report Representations: Examination Document SUB5).

7.3.2 The Council has adopted a two stage approach to accommodating the needs of the Gypsy and Traveller community, which it considers to be fair and reasonable. The first part of the policy is contained within the Core Strategy, with the second part to follow within the Site Allocations Development Plan Document (DPD).

7.3.3 Policy CS22: New Accommodation for Gypsies and Travellers sets out the strategic approach to provision and provides a number of criteria through which the suitability of sites (both planned and windfall) can be objectively assessed. The policy therefore explains how any target should be delivered. Table 10 and the monitoring section that relates to Policy CS22 indicate the current target (59 pitches). This target is to be delivered within the plan period, just as other targets are. It is referred to in this way in recognition that it is best to use the most current information relating to needs when setting a target. The Council has always thought that the current target (taken from the Regional Plan) is likely to change following a revised assessment (see below).

7.3.4 In terms of the location of sites, new pitches are expected to be provided alongside large-scale planned development, particularly the appropriate local allocations. These sites will be defined on the Proposals Map. This approach is intended to aid integration of sites with the settled community; reduce the marginalization of the travelling communities; and ensure occupants of the sites have good access to local services and facilities such as health and education. The Council will be clearer about the appropriate and fair target to use at this time. It may or may not be necessary to supplement this supply with other identified site(s) in the Site Allocations DPD.

7.3.5 The timing and identification of sites will be progressed through the Site Allocations DPD process. This will include changes to the Proposals Map to identify specific sites. Issues and Options consultation has already taken place on the Site Allocations DPD (see Site Allocations DPD Report of Consultation – Volume 1: Examination Document SA9) and publication of the Pre-Submission document is programmed for spring 2013. These identified sites can be supplemented by other sites that may come forward through the Development Management process.

7.3.6 This approach is referred to in the ‘delivery’ section which follows Policy CS22. This states that for Gypsies and Travellers and Travelling Showpeople, “*delivery will be achieved.....:*

- *by the identification of sites in the Site Allocations DPD;*

- *by provision of sites through multi-agency partnership (including the Dacorum partnership), and through the Council's Housing Strategy and take up of available Government grants; and*
- *by private owners, Registered Providers or a local authority managing sites [relevant Government advice applying to design and management].”*

7.3.7 The role of the Site Allocations DPD will be to define both the 5 year and 11-15 year site supply through specific site options. This position will be monitored through the Council's Annual Monitoring Report.

7.3.8 The Council's approach is to mainstream provision of mobile homes / mobile home pitches (which includes Gypsy and Traveller provision) with housing. Depending upon the pitch target, one local allocation may provide sufficient pitch capacity. Alternatively, part of a selected local allocation providing pitches could be brought forward. The Council wishes to discuss this approach further with landowners through the Site Allocations process.

7.3.9 The Council is currently looking at making best use of its own land assets, particularly within Hemel Hempstead. This includes consideration of any landholdings that could be used to provide Gypsy and Traveller pitches. This could help to meet short-term needs prior to completion of work on the Site Allocations DPD. Whilst some options could provide temporary provision, others may have the potential to become permanent sites. Other land owned by the Council and partners (such as the Homes and Communities Agency and Hertfordshire County Council) will also be considered.

7.3.10 Paragraph 9 of the new 'Planning Policy for Travellers Sites' (Examination Document REG16) includes a number of requirements that local planning authorities should meet when planning for traveller sites. Criteria (a) to (e) in Policy CS22 provide the local interpretation of these requirements and are considered to be appropriate and to accord with national guidance for the reasons set out below:

(a) Distributed in a dispersed pattern around settlements

7.3.11 This criterion reflects Government policy that the number of pitches should be related to the circumstances of the specific size and location of the site and the surrounding population's size and density (criterion (d), paragraph 9, Examination Document REG16). It will also help ensure that no undue pressure is placed on local infrastructure and services and help promote peaceful and integrated co-existence between the occupants of the site and the local community (Criteria (f) and (a), paragraph 10, Examination Document REG16).

7.3.12 Adopting a dispersed pattern of distribution is supported by feedback from the traveller community. Whether there are any other Gypsy and Traveller sites in the vicinity was a key issue for some interviewees when considering future site provision. There appear to be a number of reasons for this, the main ones being a fear that a new site could impact upon existing good relationships with the settled community. There was also a recognition amongst interviewees that sites too close to each other would make it harder for integration with the settled

community and put pressure on local services such as schools (see Section 3.3 of Appendix 4 of Volume 4 of the Report of Consultation: Examination Document SUB6).

7.3.13 Criterion (a) of Policy CS22 also reflects feedback from the settled community and advice from Hertfordshire County Council's Gypsy Liaison Officer.

(b) Located close to facilities

7.3.14 This criterion reflects the approach taken to the location of other types of new housing and reflects objectives within the sustainability framework (Examination Document SUB3). It will help maximise opportunities to address issues of poor health, low life expectancy and low educational attainment currently experienced by the Gypsy and Traveller community and complies with criteria b) and c) in paragraph 11 of Examination Document REG16. It will also help aid integration of settled and travelling communities through use of facilities such as community centre and primary schools (criterion a), paragraph 7, Examination Document REG16).

(c) Of varying sizes, not normally exceeding a site capacity of 15 pitches; and

(d) Planned to allow for part occupation initially, allowing subsequent growth to full site capacity

7.3.15 Fifteen pitches is not intended to be, or indeed expressed as an absolute limit. The precise size of each site will be expected to reflect levels of need and be appropriate in scale to the size of the settlement in which it is located.

7.3.16 The general approach of providing a number of smaller sites, rather than a few larger ones, is supported by the County Council's Gypsy Liaison Officer – and is based on his extensive experience across Hertfordshire. It also reflects Government good practice guidance and feedback from the Gypsy and Traveller community themselves. Face to face consultation with the Gypsy and Traveller community by specialist consultants found that *“All respondents without exception would like to see the provision of smaller sites in the future. Those interviewees living on larger sites felt that a site of around fifteen pitches would be a reasonable size. Whereas those living on smaller sites or who had lived on smaller sites of around six pitches felt that a site of fifteen pitches would be far too large and that sites should ideally accommodate between six to eight pitches.”* There was a feeling amongst all those interviewed that the provision of smaller sites would result in fewer difficulties within the Gypsy and Traveller community themselves. Respondents noted a preference for living in small family groups, or with families they have a close relationship with (see Section 3.3 of Appendix 4 of Volume 4 of the Report of Consultation: Examination Document SUB6). Allowing sites to come forward with part occupation and expanding to full capacity over time reflects this feedback and will allow for easier site management and integration.

7.3.17 These criteria also reflect Government policy that the number of pitches should be related to the circumstances of the specific size and location of the site and the surrounding population's size and density (criterion (d), paragraph 9,

Examination Document REG16).

7.3.18 It will also help ensure that no undue pressure is placed on local infrastructure and services and help promote peaceful and integrated co-existence between the site and the local community (Criteria (f) and (a), paragraph 10, Examination Document REG16).

(e) Designed to a high standard with

- (i) An open frontage similar to other forms of housing; and*
- (ii) Landscaping or other physical features to provide an appropriate setting and relationship to existing residential areas*

7.3.19 These requirements are intended to enable better integration between the traveller and settled communities. They will help ensure the protection of local amenity and environment as required by paragraph 9, criterion (e), and also reflect the following criteria in paragraph 11 of the Planning Policy for Travellers Sites:

- a) promote a peaceful and integrated co-existence between the site and the local community; and*
- e) promote a proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development.*

7.3.20 The delivery section that follows Policy CS22 also signposts Government advice applying to the design and management of sites that will help ensure that these requirements are met.

7.3.21 More detailed requirements for each designated site will be set out in the Site Allocation DPD.

7.3.22 Policy CS1: Existing Accommodation for Gypsies and Travellers and CS22: New Accommodation for Gypsies and Travellers perform well against the sustainability framework. The Sustainability Report concludes that *“The policy performs well in terms of its contribution to achieving social objectives and it is likely to encourage a more participatory society. As a result significant positive effects have been identified for equality and social exclusion. The policies place constraints on the size and location of sites which should help to support achievement of some of the environmental objectives, however, there could be some adverse effects depending on the location and characteristics of the sites selected (paragraph 6.5.3, Examination Document SUB3).*

7.3.23 The Council (in conjunction with Three Rivers District Council) has recently commissioned a new assessment of the needs of the travelling community. This includes consideration of the needs of both Gypsies and Travellers and Travelling Showpeople. Preliminary results from this new assessment should be available by early October 2012.

7.3.24 The consultants' initial advice indicates that the current pitch target for Gypsies and Travellers will need to be revised due to changes in levels of need in the

study area since the last assessment was carried out.

7.3.24 To reflect the fact that the pitch target is likely to change as a result of this new assessment, and indeed change again during the course of the plan period as needs assessments are updated, it is not considered helpful to include a time-limited target within the policy. A further minor change is however proposed to Policy CS22 to refer to where latest target is set – not refer to target itself as this needs to be reviewed every 5 years (in accordance with Housing Act) and any specified figure could increase or decrease as a result. Suggested wording is *“The pitch target is set out in the latest Gypsy and Traveller Needs Assessment agreed by the Council.”* Additional explanatory text to explain this approach can be added to the supporting paragraphs.

7.3.25 It is appropriate that the policy refers to pitches and not sites. The number of sites required will be dependent upon the size of these sites and the level of overall need identified.

Appendix 1

Summary of Affordable Housing Units Completed 2011/12

| Scheme | Number of Rented Units | Number of Shared Ownership Units | Number of Affordable rented | First Buy | Total Units |
|--------------------------------------|------------------------|----------------------------------|-----------------------------|-----------|-------------|
| Ebberns Road, Apsley Hemel Hempstead | 9 | - | 22 | - | 31 |
| 69 Long John, Hemel Hempstead | 6 | - | - | - | 6 |
| Alexandra Road, Hemel Hempstead | 5 | - | - | - | 5 |
| Stag Lane Berkhamstead | 3 | - | - | - | 3 |
| Western Road Tring | - | 5 | - | - | 5 |
| Lord Alexandra House Hemel Hempstead | 67 | - | - | - | 67 |
| First Buy | - | - | - | 32 | 32 |
| | 90 | 5 | 22 | 32 | 149 |