

Affordable Housing and Housing Mix SPD

March 2023



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1 Introduction

1 Introduction

Purpose of this Supplementary Planning Document

- 1.1 This document provides guidance on the implementation of the Kirklees Local Plan Housing Mix and Affordable Housing Policy (LP11) which seeks to ensure provision of affordable housing in new housing developments and ensuring that the housing mix meets local needs.
- 1.2 This Supplementary Planning Document (SPD) will be used as a material planning consideration when securing affordable housing as part of the determination of planning applications. It replaces guidance set out in the council's Interim Affordable Housing Policy (approved 14th January 2020) and SPD2 (Affordable Housing) which was adopted in 2008.
- 1.3 This SPD has been prepared to help developers who are designing homes to provide high quality and affordable housing with a mix of house sizes and house types that meets the needs of local people and underpins the Local Plan's vision and housing objectives. This is a key component of creating sustainable, quality neighbourhoods and aligns with the Kirklees Housing Strategy.
- 1.4 Key principles are set out in the SPD which relate to achieving housing mix; when affordable housing provision is required; the type of affordable housing needed; and how this should be designed and delivered; as well as principles for town centres, with specific guidance for Huddersfield and Dewsbury.

Comply or Justify

- 1.5 The guidance and additional details on Local Plan policies set out in this SPD have been produced based on the principle of 'comply or justify'.
- 1.6 The council expects proposals for affordable housing and the housing mix of developments to comply with the guidance and principles set out in this document. Proposals which comply with this SPD are more likely to progress through the planning process quickly and successfully.
- 1.7 It is acknowledged that there will be local circumstances, within the sub-areas, which could justify a different mix of housing to those set out in this SPD. Proposals which depart from the guidance set out in this SPD will need to provide evidence based justification through the planning application process.

Local Plan Policy

- 1.8 Local planning policy for affordable housing is set out in the Kirklees Local Plan (adopted February 2019) under policy LP11 (Housing Mix and Affordable Housing). This SPD provides detailed guidance and additional information to help implement Local Plan policy LP11 (Housing Mix and Affordable Housing) as set out below.
- 1.9 The Local Plan policy is underpinned by evidence from the Kirklees Strategic Housing Market Assessment (SHMA) which sets out the housing need for Kirklees and identifies high levels of affordable housing need in the district. The SHMA is published on the council's website.

Policy LP11

Housing Mix and Affordable Housing

In accordance with the Local Plan policy LP11, all proposals for housing, including those affecting the existing housing stock, will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need.

All proposals for housing must aim to provide a mix (size and tenure) of housing suitable for different household types which reflect changes in household composition in Kirklees in the types of dwelling they provide, taking into account the latest evidence of the need for different types of housing. This includes consideration of provision for those with specialist needs. For schemes of more than 10 dwellings or those of 0.4ha or greater in size, the housing mix should reflect the proportions of households that require housing, achieving a mix of house size and tenure. The council encourages the inclusion of appropriate design elements that ensure buildings are suitable or can be adapted to meet the needs of people needing specialist accommodation at present and into later life. The council will encourage proposals for custom/self build homes where consistent with other policies in the Local Plan.

Taking into account the annual overall shortfall in affordable homes, the council will negotiate with developers for the inclusion of an element of affordable homes in planning applications for housing developments of more than 10 homes, including proposals involving self-contained residential units. The proportion of affordable homes should be 20% of the total units on market housing sites. The proportion may be less where viability evidence demonstrates that there are development costs which would otherwise prejudice the implementation of the proposal. Achievement of a higher proportion of affordable housing on sites will be encouraged.

The affordable homes should be incorporated within the development but where justified, a financial contribution of at least equal value may be accepted to provide affordable homes elsewhere or to re-use or improve the existing housing stock.

The affordable housing provision should:

- a. cater for the type of affordable need identified in the latest housing evidence in terms type, tenure, size and suitability to meet the needs of specific groups;
- b. incorporate appropriate arrangements to retain the benefits of affordability for initial and subsequent occupiers or for the subsidy to be recycled for alternative affordable housing provision; and
- c. be indistinguishable from market housing in terms of achieving the same high quality of design.

Exceptionally, planning permission may be granted for affordable homes on land which would not normally be permitted for housing development, where there is otherwise little prospect of meeting robustly evidenced local needs particularly for housing to rent by people who work locally. Where appropriate, such schemes must include arrangements for the homes to remain affordable in perpetuity.

2 Background

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- 2.1 The National Planning Policy Framework 2021 (NPPF) in Annex 2 includes a definition of Affordable Housing based on the 2016 Housing and Planning Act and is set out below.

Definition of Affordable Housing (NPPF 2021)

Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

- a. *Affordable housing for rent*
- b. *Starter homes*
- c. *Discount market sales housing*
- d. *Other affordable routes to home ownership*

- 2.2 Further details on definitions of affordable housing products are set out in Appendix 1.
- 2.3 A Written Ministerial Statement on 24th May 2021 detailed a new affordable housing product called First Homes. Planning Practice Guidance provides detailed guidance on this housing provision and identifies First Homes as a type of discounted market sales housing. These are intermediate tenure homes that are discounted 30% below market value, initial sale is capped at a £250,000 price point (after discount), and have an eligibility criterion for buyers. The council has set out an interim policy statement on First Homes which provides further information and should be read in conjunction with this SPD.

Kirklees Housing Strategy

- 2.4 The Kirklees Housing Strategy for 2018 – 2023 ⁽¹⁾ sets out the national, regional and local housing context, and the issues that the council and its partners will address. The Housing Strategy supports and complements the Local Plan, and it references the Strategic Housing Market Assessment (SHMA) evidence base in identifying housing need. The Kirklees Housing Strategy is also a contributor to the ambitions and outcomes set out in the Kirklees Joint Health and Wellbeing Strategy (JHWS) and the Kirklees Economic Strategy (KES).
- 2.5 The Kirklees Housing Strategy underlines how good, secure and affordable housing in attractive and inclusive communities, underpin the overarching partnership outcomes for Kirklees, and the people who live and work here. The development industry and the planning process are key contributors to supporting the strategy outcomes.
- 2.6 The council is reviewing the Housing Strategy, which will continue to provide the strategic policy context and direction for supporting housing growth, meeting need and addressing housing inequalities.

1 <https://www.kirklees.gov.uk/beta/housing/pdf/kirklees-housing-strategy.pdf>

3 Housing Mix

Principle 1: Market Housing Mix

In accordance with the Kirklees Local Plan, all proposals for housing must aim to provide a mix (size and tenure) of housing suitable for different household types which reflects changes in household composition in Kirklees in the types of dwelling they provide, taking into account the latest evidence of the need for different types of housing.

Proposals for more than 10 dwellings, or on sites of at least 0.4 hectares, should seek to meet local housing needs by using the market housing shares set out in Table 1 as a starting point. Where the dwelling mix does not reflect the figures set out in Table 1 below, applicants will need to provide justification. This could include more up-to-date evidence of local housing need, and consideration of the provision of specialist housing, taking into account viability evidence and the compatibility of the development with its surroundings.

Relevant Local Plan Policy

- Local Plan Policy LP11: Housing Mix and Affordable Housing

3.1 Local Plan policy LP11 states that for schemes of more than 10 dwellings, or 0.4ha in size, the housing mix should reflect the proportions of households that require housing, achieving a mix of house size and tenure. On most sites, it is expected that 80% of the dwellings provided would be for market housing, therefore it is key that the market housing delivered on sites takes into account the local evidence of housing needs. Where specialist accommodation is provided to meet needs identified in the Housing Strategy, as set out in section 4 of the SPD, applicants would not be expected to deliver against the dwelling mix requirements.

3.2 In achieving a mix of housing types on a site, applicants should have regard to Local Plan policy LP7 (Efficient and Effective Use of Land and Buildings) and advice set out in the Housebuilders Design Guide SPD ⁽²⁾ on achieving a development density that makes an efficient use of land. Developments containing some apartments/flats can assist in achieving densities but also providing a mix of different dwelling sizes. This should be considered against ensuring that the development is compatible with its surroundings. For the conversion of buildings, it is accepted that the existing building may provide limitations on the mix of housing that can be provided on site.

2 www.kirklees.gov.uk/beta/planning-policy/pdf/housebuilders-design-guide-spd.pdf

3 Housing Mix

3.3 The housing mix set out in Table 1 should form the basis of proposals for market housing. This housing mix data is based on analysis undertaken by Arc4 (Kirklees Council Dwelling Mix Analysis 2020-2031) which used data from the 2016 Strategic Housing Market Assessment (SHMA), Office of National Statistics (ONS) household projections and the existing provision of housing in each sub-area. 1 and 2 bedroom dwellings are a combined category to provide flexibility when delivering a mix of house types to meet local housing need.

	Batley & Spen	Dewsbury & Mirfield	Huddersfield North	Huddersfield South	Kirklees Rural East	Kirklees Rural West
1 and 2 bed	30-60%	30-60%	30-60%	30-60%	30-60%	30-60%
3 bed	20-40%	25-45%	25-45%	25-45%	25-45%	25-45%
4+ bed	15-35%	10-30%	10-30%	15-35%	5-25%	10-30%

Table 1 Market housing mix requirements (%) by sub-are and number of bedrooms

4 Is Affordable Housing Required?

Principle 2: Approach to Affordable Housing Calculations

The Kirklees Local Plan requires 20% affordable housing on all qualifying developments of more than 10 dwellings.

Smaller land parcels on one site developed incrementally will also need to provide affordable housing if the overall site capacity is more than 10 dwellings.

Relevant Local Plan Policy

- Local Plan Policy LP5: Masterplanning Sites
- Local Plan Policy LP11: Housing Mix and Affordable Housing

- 4.1** In line with Policy LP11, the council will require 20% affordable housing on all developments comprising more than 10 dwellings, including mixed use schemes and conversions, subject to viability. Specific specialist housing provision will be exempt from providing affordable housing (see paragraphs 4.7-4.14)
- 4.2** In line with the NPPF (paragraph 65), at least 10% of all dwellings on the site should be available for affordable home ownership.

Exemptions to this 10% requirement should also be made where the site or proposed development;

- provides solely for Build to Rent homes;
 - provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
 - is proposed to be developed by people who wish to build or commission their own homes; or
 - is exclusively for affordable housing, an entry-level exception site or a rural exception site.
- 4.3** The Local Plan Strategy and Policies document (paragraph 8.38) ⁽³⁾ states that on housing sites, where smaller parcels of land are developed incrementally, these will be expected to contribute to the provision of affordable housing for the entire allocation. A master-planned approach to sites, in accordance with Local Plan Policy LP5, will ensure that different applicants within a larger site provide a proportionate amount of affordable housing, or an off-site contribution where justified.
- 4.4** In the first instance all affordable housing will be expected to be provided on-site. Where justified, off-site provision or a commuted sum in lieu of on-site provision may be acceptable (see Principle 8).

3 <https://www.kirklees.gov.uk/beta/planning-policy/pdf/local-plan-strategy-and-policies.pdf>

4 Is Affordable Housing Required?

Outline Planning Applications

- 4.5** For outline applications where the number of units is not known, the council will require the applicant to submit an indicative layout to demonstrate the number of dwellings which will be proposed. Outline applications with an indicative layout with more than 10 dwellings will be subject to Local Plan Policy LP11 and will be required to provide affordable housing provision in accordance with the policy.
- 4.6** The level of affordable housing provision on outline planning applications is secured by planning condition. The condition will require arrangements for the provision of affordable housing prior to the commencement of development addressing the number of affordable homes, their location within the site and the timescale and mechanism for their delivery. The specific details relating to the provision of affordable housing will be calculated and secured based on the details provided at reserved matters stage.

Specialist Housing Provision

- 4.7** The council recognises the need for specialist housing provision for groups of people with specific needs. Table 2 below shows the affordable housing requirements for specialist housing, including exemptions where affordable housing provisions will not be sought.

Specialist Housing Provision Type	Affordable Housing Requirements
Student Accommodation	No
Housing for Older People - Use Class C2	No
Housing for Older People - Use Class C3	Yes
Self / Custom Build	Yes - On sites of more than 10 dwellings
Build to Rent	Yes - Affordable Rent only

Table 2 Specialist Housing Provision: Requirement for Affordable Housing

Student Accommodation

- 4.8** Affordable housing contributions are not sought on schemes for student accommodation. The use of developments as student accommodation may be restricted through the imposition of planning conditions. In the longer term, where market demands change, it is possible that site owners may wish to remodel and provide this accommodation as market housing outside the student sector. In such circumstances where units are being re-provided for market sectors other than student housing, the council will apply Local Plan policy LP11 and the requirements set out in this SPD to the dwellings proposed.

Housing for Older People

- 4.9** Housing provided in accordance with Use Class C2 (Residential Institutions), such as residential care homes and nursing homes, will be exempt from contributing to affordable housing. This does not include age-restricted Use Class C3 (Dwellinghouses) uses which will be required to provide affordable housing in accordance with Local Plan policy LP11. Use Classes C2 & C3 are defined in Appendix 1.
- 4.10** Extra care housing proposals, which comprise self-contained homes designed with the needs of older people in mind and offer care and support on-site, fall within Use Class C3 and are subject to the affordable housing policy. It may be appropriate, in some circumstances, for an off-site contribution to be made for affordable housing provision given the specific nature of extra care housing.

Self and Custom House-building

- 4.11** The Government is promoting self and custom housebuilding developments as part of the effort to diversify the housing market, with statutory requirements introduced to maintain a self-build register and provide an appropriate number of serviced plots to meet identified need. Local Plan policy LP11 encourages proposals for custom/self-build homes where consistent with other policies in the Local Plan. To encourage self and custom build, the council will take a pragmatic approach to the provision of affordable housing on such developments.
- 4.12** Most self-build plots will come forward on individual plots and small plots below the threshold for affordable housing. In instances where an application for self or custom housebuilding is larger than 10 dwellings on a site, in accordance with Local Plan policy LP11, the council would expect 20% of homes to be available for affordable home ownership and this will be secured through a Section 106 Agreement as part of the planning process.

Build to Rent Schemes

- 4.13** The council recognises the increasing trend of Build to Rent schemes in town and city centres. Build to Rent is defined in NPPF 2021 (Annex 2) as set out below.

'Build to Rent' NPPF (2021) Definition

Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.

- 4.14** As set out in paragraph 4.2, proposed developments that provide solely for Build to Rent homes are exempt from the 10% affordable home ownership requirement in accordance with the NPPF (paragraph 65).

5 What Types of Affordable Housing are Required?

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Principle 3: Affordable Housing Types and Mix

Affordable housing provision should cater for the affordable housing need in terms of type, tenure, size and suitability to meet the needs of specific groups as identified in the latest housing needs evidence.

Affordable housing provision must incorporate arrangements to retain the benefits of affordability for initial and subsequent occupiers, or for the subsidy to be recycled for alternative affordable housing provision.

Relevant Local Plan Policy

- Local Plan Policy LP11: Housing Mix and Affordable Housing

5.1 The most up to date evidence as of adoption of this SPD is:

- Kirklees Strategic Housing Market Assessment 2016:
Evidence of the need for an affordable housing split of 55% Affordable Rent and 45% Intermediate Tenure
- Kirklees Dwelling Mix Analysis (2020):
Evidence of the affordable needs in the relevant Strategic Housing Market Assessment (SHMA) sub-area and property size as set out in the 2020 Dwelling Mix Analysis

5.2 The SHMA 2016 sets out household needs and examines the current range of housing stock and sets out the current required tenure split in Kirklees as 55% Affordable/Social rent, and 45% Intermediate tenure. As set out in the NPPF (Annex 2), Starter Homes, discounted market sales housing and other affordable routes to home ownership are intermediate housing, including First Homes. It should be noted the Government's intention is that First Homes will be prioritised over Starter Homes and the council will consider new developments accordingly.

5.3 In addition, consideration is given to the needs of residents within Kirklees in the Joint Health and Wellbeing Strategy, Kirklees Joint Strategic Assessment, Kirklees Housing Strategy, and the Kirklees Specialist Accommodation Strategy 2022-2030, which have priority outcomes based on housing need, housing quality and housing growth. In terms of housing need, the strategy seeks to meet a diverse range of housing needs, prioritising those of vulnerable people with a continued and strengthened focus on prevention and early intervention to enable people to access and sustain a suitable home of their own and live as independently as possible.

5.4 The Kirklees Housing Strategy identifies a long-term shortfall of extra care accommodation, including for people with dementia. The Kirklees SHMA (2016), at paragraph 8.31, identified that the range of housing options available to older people needs to be diversified, for instance through the development of open market housing designed for older people and the development of sheltered accommodation, extra care housing and co-housing for rent or sale. In accordance with Local Plan policy LP11, the council encourages the inclusion of appropriate design elements that ensure buildings are suitable or can be adapted to meet the needs of people needing specialist accommodation at present and into later life. To meet such need extra care housing, which provides for a range of needs including those of frailer older people, is particularly favoured.

5 What Types of Affordable Housing are Required?

5.5 There is also the need to provide for the care facilities of both adults and children with disabilities, those with long-term illnesses and residents with mental health issues. Where there is evidence of local need, the council would welcome the inclusion of units which meet these needs. Applicants are encouraged to discuss this aspect at an early stage of scheme development, to allow suitable sites to be progressed with a partner organisation to provide specialist housing on the site.

Affordable Housing Types

5.6 Affordable housing for rent consists of Affordable Rent or Social Rent as defined in the NPPF Annex 2 (see Appendix 1 of this SPD). Intermediate housing includes discounted market sales housing or other affordable routes to home ownership, including Starter Homes and First Homes.

5.7 Where DMS housing is provided, applicants should work with the council at the earliest opportunity to make arrangements for how schemes will be administered and to provide a draft legal agreement for how they will be delivered. The legal agreement should set out the mechanisms for the management of such homes, the eligibility criteria of prospective buyers, the resale process and what happens in the event that the developer is unable to dispose of such properties. The onus is on developers to check the qualifying documentation, certify eligibility, and provide a written statement to confirm these have been done.

Affordable Housing Mix

5.8 To provide a sub-district analysis of housing needs in Kirklees, the SHMA (2016) split Kirklees into six sub-areas. Affordable housing provision should seek to meet the needs identified in the SHMA sub-area where the development is located, as shown in figure 1.

Principle 4: First Homes, Starter Homes & Discount Market Sales

A development that triggers the need for affordable housing contributions is required to provide 25% of the affordable housing provision as First Homes. This 25% requirement should form part of the intermediate tenure split, identified in the 2016 SHMA.

For First Homes and Starter Homes, it should be acknowledged that the 30% and 20% discount identified respectively is a minimum. The council has set out an interim policy statement on First Homes which should be read in conjunction with this SPD. The council will provide a model draft agreement on request to support developers in arranging for the provision and administration of Discounted Market Sales (DMS) housing, Starter Homes and First Homes.

5 What Types of Affordable Housing are Required?



Figure 1 Kirklees SHMA Sub-areas

5.9 The sub-areas are made up of the following wards;

- **Batley and Spen** - *Batley East, Batley West, Birstall & Birkenshaw, Cleckheaton, Heckmondwike, and Liversedge & Gomersal wards*
- **Dewsbury and Mirfield** - *Dewsbury East, Dewsbury South, Dewsbury West, and Mirfield wards*
- **Huddersfield North** - *Ashbrow, Golcar, Greenhead, and Lindley wards*
- **Huddersfield South** - *Almondbury, Crosland Moor & Netherton, Dalton, and Newsome wards*
- **Kirklees Rural East** - *Denby Dale, and Kirkburton wards*
- **Kirklees Rural West** - *Colne Valley, Holme Valley North, and Holme Valley South wards*

5.10 The type of housing required in the different Kirklees sub-areas is based on evidence from the Kirklees SHMA and further analysis of affordable housing need in relation to dwelling type by sub-area as set out in the Kirklees Council Dwelling Mix Analysis 2020-2031. The evidence demonstrates that the following affordable housing mix, set out in Tables 3 and 4, is appropriate in each sub-area.

	Batley & Spen	Dewsbury & Mirfield	Huddersfield North	Huddersfield South	Kirklees Rural East	Kirklees Rural West
1 and 2 bed	40-79%	20-59%	40-79%	40-79%	60+%	20+%
3 bed	0-19%	0-19%	0-19%	0-19%	20-39%	0-19%
4+ bed	0-19%	20-39%	0-19%	20-39%	0-19%	0-19%

Table 3 Affordable rented housing mix requirement (%) by sub-area and number of bedrooms

	Batley & Spen	Dewsbury & Mirfield	Huddersfield North	Huddersfield South	Kirklees Rural East	Kirklees Rural West
1 and bed	60+%	0-39%	60+%	40-79%%	40-79%	20-59%
3 bed	20-39%	40-59%	20-39%	20-39%	40-59%	60+%
4+ bed	0-19%	40-59%	0-19%	0-19%	0-19%	0-19%

Table 4 Affordable intermediate housing mix requirement (%) by sub-area and number of bedrooms

5.11 Combined sub-area housing requirements, using the information set out in Tables 1, 3 and 4, are set out in Appendix 2.

5 What Types of Affordable Housing are Required?



Picture 1 Affordable Housing in Kirklees

5.12 Pre-application discussions with the council are recommended prior to the submission of an application.

6 How Should Affordable Housing be Designed?

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Principle 5: Design

Affordable housing provision must be indistinguishable from market housing, in terms of achieving the same high quality of design, and should promote mixed and balanced communities by dispersing the affordable housing throughout the site. The council is seeking high-quality, well-designed proposals in accordance with the Housebuilders Design Guide SPD.

Relevant Local Plan Policy

- Local Plan Policy LP11: Housing Mix and Affordable Housing
- Local Plan Policy LP24: Design

6.1 Proposed new developments should ensure that they are promoting mixed and balanced communities by ensuring that the affordable housing provision is indistinguishable from market housing, in terms of achieving the same high-quality design as set out in Local Plan policy LP11. The design of all homes should follow the advice set out in the council's Housebuilders Design Guide SPD.

6.2 Affordable housing should be indistinguishable from market housing by taking into account the following:

- **the architecture** of the affordable homes in terms of the quality of materials and finishing, the architectural details, style, and space standards,
- **the landscaping** and on-plot car parking,
- **the layout** of affordable dwellings should be dispersed throughout the site in smaller clusters, avoiding large groupings of affordable dwellings together that may reinforce social exclusion. Affordable dwellings should be well integrated within the site layout and not located at specific areas at the edges of sites.

6.3 Developers are encouraged to work with Registered Providers, or other appropriate providers of affordable housing, at an early stage to ensure that the requirements of the provider are met. The early involvement of a Registered Provider can be beneficial in formulating proposals at pre-application stage, and as part of the development viability appraisal process. Pre-application advice and the use of design tools, as set out in the Housebuilders Design Guide SPD, should be used to help secure high-quality design.

6.4 Information about how design can help address the climate emergency, and accord with the council's climate ambitions, can be found in the Housebuilders Design Guide SPD and the council's Planning Application Climate Change Guidance⁽⁴⁾.

⁴ <https://www.kirklees.gov.uk/beta/planning-applications/pdf/climate-change-guidance-for-planning-applications.pdf>

6 How Should Affordable Housing be Designed?

Nationally Described Space Standard

- 6.5** All new dwellings, including conversions, should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers. Occupants must have sufficient space within their homes to be able to carry out day to day activities, and where homes are accessible and adaptable they are able to meet the changing needs of occupants over time. The government's Nationally Described Space Standard⁽⁵⁾(shown in Table 5) set out minimum requirements for internal gross floor area of new dwellings at a certain level of occupancy, along with floor areas and dimensions for key parts of the home, particularly bedrooms, storage and floor to ceiling heights. Although these standards are not currently adopted as policy in the Kirklees Local Plan, the council will seek to adopt such a policy in the future in accordance with evidence.
- 6.6** The council recognises the nationally described space standard as best practice and will seek to ensure high quality living environments through the application of Local Plan policy LP24 (Design) and the Housebuilders Design Guide SPD.

Number of bedrooms (b) & bed spaces (p)	1 storey dwellings (sqm)	2 storey dwellings (sqm)	3 storey dwellings (sqm)	Built-In Storage (sqm)
1b 1p	39 (37) ⁽⁶⁾			1.0
1b 2p	50	58		1.5
2b 3p	61	70		2.0
2b 4p	70	79		2.0
3b 4p	74	84	90	2.5
3b 5p	86	93	99	2.5
3b 6p	95	102	108	2.5
4b 5p	90	97	103	3.0
4b 6p	99	106	112	3.0
4b 7p	108	115	121	3.0
4b 8p	117	124	130	3.0
5b 6p	103	110	116	3.5
5b 7p	112	119	125	3.5
5b 8p	121	128	134	3.5
6b 7p	116	123	129	4.0
6b 8p	125	132	138	4.0

Table 5 Nationally described space standard: minimum gross internal floor areas and storage (sqm)

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1012976/160519_Nationally_Described_Space_Standard.pdf

⁶ Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as shown bracketed. Applicants should refer to the government's 'Technical Housing Standards - Nationally Described Space Standard' for further information.

7 How Should Affordable Housing be Delivered?

7 How Should Affordable Housing be Delivered?

Principle 6: Affordable Housing Delivery

In most circumstances affordable housing will be expected to be delivered in partnership with a Registered Provider and will be secured through a Section 106 Agreement.

Relevant Local Plan Policy

- Local Plan Policy LP11: Housing Mix and Affordable Housing

- 7.1** It is expected that most types of affordable homes, those being social rent, affordable rent, and shared ownership, will be delivered in partnership with a Registered Provider (RP), who will own and manage these types of affordable homes. This is because RPs are regulated by Homes England and have satisfied the government's regulatory requirements for the provision and management of affordable housing.
- 7.2** RPs will be expected to allocate lettings and sales in line with the council's Housing Allocation Policy. The council will require 100 percent nomination rights on first lettings and sales, and an agreed percentage of subsequent lettings and sales (to be no less than 50 percent). Starter Homes, Discount Market Sale and First Homes are administered by the developer at the point of sale, with oversight and required approval by the council.

- 7.3** Affordable housing will be secured by a Section 106 Agreement (legal agreements issued as part of planning permissions). Applicants usually sign a Section 106 Agreement for affordable housing as part of a full or reserved matters planning permission. This is the council's preferred approach to ensure affordable housing provision reflects policy and evidence available at that point in time.



Picture 2 Affordable Housing in Kirklees

Principle 7: Transfer Values

The council expects developers to use the transfer values set by the council. These will be reviewed periodically to ensure transfer values remain appropriate.

Relevant Local Plan Policy

- Local Plan Policy LP11: Housing Mix and Affordable Housing

7.4 Transfer values are the amount that Registered Providers will pay to developers for the affordable homes that they provide. An assessment has been undertaken to determine the most appropriate transfer values in Kirklees and these are set out in Table 6 below.

<i>Per m²</i>	Affordable & Social Rented	Intermediate
House / Bungalows	£861	£1,292
Flat	£861	£1,292

Table 6 Current transfer values in Kirklees

7.5 To ensure that transfer values remain appropriate, the council will review, transfer values periodically in consultation with RPs and developers.

Principle 8: Provision of Affordable Homes Off-site

Where the trigger for providing affordable housing is reached, the affordable homes should be incorporated within the development.

Where this is not possible, a financial contribution, of at least equal value of median build costs for Kirklees recognised by the Build Cost Information Service (BCIS), may be accepted to provide affordable homes elsewhere or to improve the existing housing stock. This will need to be justified and agreed with the Local Planning Authority.

A financial contribution may also be appropriate for apartment developments where a 20% affordable housing contribution would result in less than 3 affordable dwellings being provided. The 20% affordable housing contribution will normally be rounded to the nearest whole number.

Relevant Local Plan Policy

- Local Plan Policy LP11: Housing Mix and Affordable Housing

7 How Should Affordable Housing be Delivered?

- 7.6** The strong preference is for affordable homes to be incorporated within the development. It is, however, recognised that there may be reasons why off-site provision of affordable housing may be appropriate. The provision of off-site affordable housing would need to be robustly justified and the justification will be assessed by the Local Planning Authority.
- 7.7** Where off-site provision is justified, the mechanism for calculating the financial contribution is based on the BCIS, which is floorspace multiplied by median build cost, with the addition of 15% for the cost of external works.
- 7.8** The council's Validation Requirements for the Submission of Planning Applications document sets out what information should be provided with planning applications, including in terms of planning obligations.⁽⁷⁾

Meeting Local Affordable Housing Needs

- 7.9** Given the level of affordable housing need in Kirklees, the preference is for affordable homes to be assigned to those on a local housing register, although it is acknowledged that each case must be treated on its merits. First Homes follow specific guidance, therefore an associated position statement⁽⁸⁾ has been produced in relation to local connections for the specific First Homes product.



Picture 3 Affordable Housing in Kirklees

⁷ <https://www.kirklees.gov.uk/beta/planning-applications/guidance-and-advice-notes.aspx>

⁸ www.kirklees.gov.uk/beta/planning-applications/pdf/first-homes-position-statement.pdf

8 Town Centres

Principle 9: Town Centres

For residential proposals in town centres, the council expects proposals to meet identified local housing needs and support mixed and balanced communities. In considering the suitability of different tenures and mix of housing, the council will consider viability evidence as part of the planning application process.

The council broadly supports residential development in town centres to increase activity levels, including through the re-use of vacant upper floor units and high-density schemes. Such proposals will need to be in accordance with Local Plan Policy LP15 (Residential Use in Town Centres).

The council expects residential development in town centres to:

- meet identified local housing needs and support mixed and balanced communities. In considering the suitability of different tenures and mix of housing, the council will consider viability evidence as part of the planning applications process.
- ensure high quality living accommodation and sympathetic design within the street scene in accordance with the Housebuilders Design Guide SPD.

Relevant Local Plan Policy

- Local Plan Policy LP11: Housing Mix and Affordable Housing
- Local Plan Policy LP15: Residential Use in Town Centres
- Local Plan Policy LP24: Design

- 8.1 The council recognises the need to ensure the future vitality and viability of town centres. A key component of this is diversifying the uses in the town centres and ensuring a broad mix of housing types and tenures. The council also recognises that there are challenges to delivery of new homes in town centres, including viability concerns. The council is keen to ensure that all residential conversions or new build provide high-quality, well-designed living accommodation in accordance with the Housebuilders Design Guide SPD.
- 8.2 The council recognises that some proposals have the benefit of permitted development rights which has a role in delivering residential uses in town centres.
- 8.3 The Kirklees Local Plan identifies Huddersfield and Dewsbury as the principal town centres and as such further specific guidance is set out below.
- 8.4 Current trends in town centres demonstrate the need to reflect their changing role over time, including diversification of uses. The council therefore broadly supports the need for additional residential developments in town centres to increase activity levels.
- 8.5 National planning policy recognises that residential uses in town centres, through reusing vacant upper floor units or high-density schemes help sustain town centre services and facilities, as well as expanding the economy of other main town centre uses such as, but not exclusive to, theatres, restaurants and bars.

8 Town Centres

- 8.6** For residential proposals in town centres, the council expects proposals to meet identified local housing needs and support mixed and balanced communities. In considering the suitability of different tenures and mix of housing, the council will consider viability evidence as part of the planning applications process.
- 8.7** The council commissioned a Local Housing Market Assessment (LHMA) for both Huddersfield and Dewsbury town centres to provide further evidence on their respective current housing offer in terms of housing type and tenure, price, and affordability to help inform the regeneration of both towns.
- 8.8** The information contained in the LHMA's and the Kirklees-wide Strategic Housing Market Assessment (SHMA) provide the evidence relating to needs in the town centres.
- 8.9** Proposals should ensure high quality living accommodation and sympathetic design in the street scene in accordance with the Housebuilders Design Guide SPD.
- 8.10** Information regarding waste management for residential developments can be found in the newly adopted Housebuilders Design Guide SPD, the Highway Design Guide SPD, and Policy LP21 (Highways and Access) of the Kirklees Local Plan. The principles and policies in these mentioned documents can be applied to town centre developments.
- 8.11** Information regarding parking for residential developments can be found in Policy LP22 (Parking) of the Kirklees Local Plan and the Highway Design Guide SPD.

Huddersfield Town Centre

Principle 10: Huddersfield Town Centre

For residential developments in Huddersfield town centre the council expects proposals to meet identified local housing needs whilst ensuring mixed and balanced communities and providing high quality living accommodation.

Proposals should make sure they make best use of existing buildings, where appropriate, and ensure high quality conversions which both meet a range of types and tenures of housing and retain and regenerate buildings in Huddersfield town centre.

The university and student sector provide an important role in the economy and housing market in Huddersfield town centre. Proposals for student accommodation will be supported, in accordance with Local Plan policies, and will be subject to the requirements set out in section 4 of this SPD.

Proposals should consider the wider regeneration aspirations for Huddersfield as set out on the Huddersfield Blueprint and design principles set out in the Housebuilders Design Guide SPD.

Relevant Local Plan Policy

- Local Plan Policy LP11: Housing Mix and Affordable Housing
- Local Plan Policy LP15: Residential Use in Town Centres
- Local Plan Policy LP17: Huddersfield Town Centre
- Local Plan Policy LP24: Design

- 8.12** In line with policies LP15 and LP17 of the Local Plan, the council supports the development of residential developments in Huddersfield as part of a wider regeneration of the town centre to ensure increased footfall in the centre making it a more diverse place to be.
- 8.13** Huddersfield town centre is in the Huddersfield South sub-area of the SHMA and developers should consider the identified local need for types and tenures of affordable housing in this area as a starting point for proposals.
- 8.14** The council also recognises that there are specific challenges and priorities to the delivery of new homes in town centre locations to ensure that balanced and vibrant communities can be established. Therefore, development proposals in Huddersfield town centre should take into account the evidence in the Huddersfield LHMA study to identify an appropriate mix of types and tenures of housing.
- 8.15** The LHMA's findings show that Huddersfield town centre has an imbalanced housing market with a much higher percentage of flats (69.9%) and privately rented accommodation (55.1%) than the rest of Kirklees (12.7% and 17.3% respectively), as well as a market strongly dominated by the student sector. Huddersfield town centre does, however, have a slightly larger than average amount of affordable housing, compared to the Kirklees average.
- 8.16** To ensure a more diverse mix of housing types and tenures in Huddersfield and help achieve the 5 key objectives set out in the Huddersfield Blueprint (a vibrant culture, art and nightlife offer, thriving businesses, a great place to live, improved access and enhanced public spaces) the council, in line with Policy LP11, may allow variations in the expected affordable housing mix and provision. This will need to be supported by robust evidence to show how the proposed developments are meeting the needs of diversifying the market in line with the Huddersfield LHMA findings, and in conjunction with the Huddersfield Blueprint to ensure more mixed and balanced communities.
- 8.17** Sites set out in the Huddersfield Blueprint are considered opportunities for how town centre living can achieve the objectives of the Blueprint as well as diversifying housing mixes.
- 8.18** Developments should also ensure a high-quality standard of design in line with Local Plan Policy LP24 and the Housebuilders Design Guide SPD. This should include ensuring developments have a high-quality external finish to ensure developments enhance the streetscene and local character and provide good private amenity space internally.

8 Town Centres

Dewsbury Town Centre

Principle 11: Dewsbury Town Centre

For residential developments in Dewsbury town centre, the council expects proposals to meet identified local housing needs whilst ensuring mixed and balanced communities which provide a safe welcoming inclusive destination for the district's residents of all ages to visit throughout the day from morning into the evening.

Proposals should make sure they make best use of existing buildings where appropriate and ensure high quality conversions which meet appropriate design standards set out in the Housebuilders Design Guide SPD. These should provide a range of types and tenures of housing and retain and regenerate buildings in Dewsbury town centre.

Proposals for developments of 10 dwellings or less should consider ensuring a mix of housing types and tenures in the town centre to reduce the over dominance of 1-bedroom dwellings in the town centre. Proposals for more than 10 dwellings are required to provide the housing mix set out in the most up-to-date SHMA or housing needs assessment.

Proposals should consider the wider regeneration aspirations for Dewsbury as set out on the Dewsbury Blueprint and Dewsbury Town Centre Strategic Framework and design principles set out in the Housebuilders Design Guide SPD.

Relevant Local Plan Policy

- Local Plan Policy LP11: Housing Mix and Affordable Housing
- Local Plan Policy LP15: Residential Use in Town Centres
- Local Plan Policy LP18: Dewsbury Town Centre
- Local Plan Policy LP24: Design

8.19 In line with policies LP15 and LP18 of the Local Plan, the council supports the development of residential developments in Dewsbury as part of a wider regeneration of the town centre to ensure increased footfall in the centre making it a more diverse place to be. This includes the redevelopment of Daisy Hill to support a broad mix of housing sizes and types.

8.20 Dewsbury town centre is in the Dewsbury and Mirfield sub-area of the SHMA and developers should consider the identified local need for types and tenures of affordable housing in this area as a starting point for proposals.

8.21 The council also recognises that there are specific challenges and priorities to the delivery of new homes in town centre locations to ensure that balanced and vibrant communities can be established. Therefore, development proposals in Dewsbury town centre should take into account the evidence in the Dewsbury LHMA study to identify an appropriate mix of types and tenures of housing.

8.22 The LHMA's findings show that Dewsbury town centre has a much higher percentage of 1-bedroom flats (23.8%) and rented accommodation (29.8%), especially social rented housing than the rest of Kirklees (3.1% and 17.3% respectively). The evidence suggests that the town centre residential community and the housing market is highly

imbalanced and is not ensuring a mixed and balanced community. The market operates based on low-cost housing in line with what the resident population can afford.

- 8.23** Evidence also suggests that the low viability levels for developments in Dewsbury are hindering the development of quality housing products across all tenures, further skewing the overall housing mix towards lower quality 1-bed tenures.
- 8.24** To ensure a more diverse mix of housing types and tenures, and to achieve high quality of housing in Dewsbury to support the Dewsbury Blueprint and Dewsbury Strategic Development Framework, the council, in line with Policy LP11, may allow variations in the expected affordable housing mix and provision. This will need to be supported by robust evidence to show how the proposed developments are meeting the needs of diversifying the market in line with the Dewsbury LHMA findings and in conjunction with the Dewsbury Blueprint and Dewsbury Strategic Development Framework to ensure more mixed and balanced communities.
- 8.25** Developments should also ensure a high-quality standard of design in line with Local Plan Policy LP24 and the Housebuilders Design Guide SPD. This should include ensuring developments have a high-quality external finish in character to ensure developments enhance the streetscene and local character and provide good private amenity space internally.

9 Development Viability

9 Development Viability

Financial Viability

- 9.1** To inform Local Plan Policy LP11, the council carried out a whole plan viability assessment to consider the impact that various levels of affordable housing would have on the deliverability of residential developments in different parts of the district. This work informed the setting of affordable housing targets and thresholds.
- 9.2** Planning applications that do not fully meet the requirements of the Local Plan policies and this SPD, will require a viability appraisal in accordance with the Kirklees Viability Guidance Note ⁽⁹⁾.
- 9.3** Planning applications that are compliant with Local Plan Policy LP11 (20% affordable housing provision) will not require a viability assessment but negotiations will need to take place on mix, tenure and the proportion and affordability of specific affordable products in accordance with this SPD.

Vacant Building Credit

- 9.4** National Planning Policy Guidance (NPPG) explains that vacant building credit provides an incentive for the redevelopment of brownfield sites containing vacant buildings. Where a vacant building is brought back into any lawful use or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of the vacant buildings when the local planning authority calculates any affordable housing contribution. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.
- 9.5** Affordable housing contributions would be required for any increase in floorspace, subject to consideration of viability evidence where applicable.
- 9.6** The Local Planning Authority (LPA) will determine on a case by case basis whether a building is vacant or abandoned. As a general principal to qualify for the vacant building credit a building should be vacant at the time a planning application is registered. The LPA will consider case law where a dispute arises about whether a building is abandoned rather than vacant. The credit is only applicable to relevant vacant buildings. The LPA will not accept, for example, sheds and non-permanent buildings as being relevant for the purposes of calculating a vacant building credit.
- 9.7** Further information on vacant building credit is set out in the NPPG.

9 <https://www.kirklees.gov.uk/beta/planning-applications/pdf/viability-guidance-note.pdf>

10 Appendix 1

Glossary

The definition of affordable housing below is based on the current national approach. This SPD will also apply to any updated national definitions or affordable housing products which are introduced over time.

Affordable Housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

- a. **Affordable housing for rent:** meets all the following conditions:
 - (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below market rents (including service charges where applicable);
 - (b) the landlord is a registered provider, except where it is included as part of a Build to rent scheme (in which case the landlord need not be a registered provider); and
 - (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provisions. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).
- b. **Starter Homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

- c. **Discounted market sales housing:** is that sold at a discount of at least 20% below the market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
- d. **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or any receipts to be recycled for alternative affordable housing provisions, or refunded to Government or the relevant authority specified in the funding agreement.

First Homes: First Homes are a specific kind of discounted market sale housing. The main conditions of First Homes are that they are discounted by a minimum of 30% against the market value, are sold to a person or persons meeting the First Homes eligibility, on their first sale will have a restriction registered on the title to ensure the discount and certain other restrictions are passed on at subsequent title transfer value, and after the discount is applied the first sale must be at a price no higher than £250,000. First Homes eligibility criteria requires purchases to be first time buyers and applies limits according to income. A minimum of 25% of all affordable housing units secured through developer contributions should be First Homes.

10 Appendix 1

Use Class C2 - Residential Institutions

- Use for provisions of residential accommodation and care to people in need (other than a use within Class C3)
- Use as a hospital or nursing home
- Use as a residential school, college or training centre

Use Class C3 - Dwellinghouses

- Use as a dwellinghouse (whether or not as a sole or main residence) -
 - by a single person or by people to be regarded as forming a single household, or
 - by not more than six residents living together as a single household where care is provided for residents (including a household where care is provided for residents).

11 Appendix 2

Summary Tables of Housing Needs based on Tenure Type by Sub-Area

The following tables show the housing mix needs for the relevant sub-areas. Each table shows the housing mix for Market Housing, Affordable/Social Rent, and Affordable Intermediate Tenure types (such as Shared Ownership, Starter Homes, First Homes, and other DMS). This information should be used as a starting point for both market housing and affordable housing contributions for all developments unless robust evidence justifies otherwise. It is acknowledged that it may not be possible to achieve the exact percentages but these provide starting point which seeks to ensure the housing mix aligns with local needs.

<i>Batley & Spen</i>	Market Housing	Affordable Rent	Affordable Intermediate
1 and 2 bed	30-60%	40-79%	60+%
3 bed	20-40%	0-19%	20-39%
4+ bed	15-35%	0-19%	0-19%

Table 7 Batley & Spen dwelling requirement (%) by number of bedrooms for Market Housing, Affordable Rent, and Affordable Intermediate tenure types

<i>Dewsbury & Mirfield</i>	Market Housing	Affordable Rent	Affordable Intermediate
1 and 2 bed	30-60%	20-59%	0-39%
3 bed	25-45%	0-19%	40-59%
4+ bed	10-30%	20-39%	40-59%

Table 8 Dewsbury & Mirfield dwelling requirement (%) by number of bedrooms for Market Housing, Affordable Rent, and Affordable Intermediate tenure types

<i>Huddersfield North</i>	Market Housing	Affordable Rent	Affordable Intermediate
1 and 2 bed	30-60%	40-79%	60+%
3 bed	25-45%	0-19%	20-39%
4+ bed	10-30%	0-19%	0-19%

Table 9 Huddersfield North dwelling requirement (%) by number of bedrooms for Market Housing, Affordable Rent, and Affordable Intermediate tenure types

<i>Huddersfield South</i>	Market Housing	Affordable Rent	Affordable Intermediate
1 and 2 bed	30-60%	40-79%	40-79%
3 bed	25-45%	0-19%	20-39%
4+ bed	15-35%	20-39%	0-19%

Table 10 Huddersfield South dwelling requirement (%) by number of bedrooms for Market Housing, Affordable Rent, and Affordable Intermediate tenure types

11 Appendix 2

<i>Kirklees Rural East</i>	Market Housing	Affordable Rent	Affordable Intermediate
1 and 2 bed	30-60%	60+%	40-79%
3 bed	25-45%	20-39%	40-59%
4+ bed	5-25%	0-19%	0-19%

Table 11 Kirklees Rural East dwelling requirement (%) by number of bedrooms for Market Housing, Affordable Rent, and Affordable Intermediate tenure types

<i>Kirklees Rural West</i>	Market Housing	Affordable Rent	Affordable Intermediate
1 and 2 bed	30-60%	20+%	20-59%
3 bed	25-45%	0-19%	60+%
4+ bed	10-30%	0-19%	0-19%

Table 12 Kirklees Rural West dwelling requirement (%) by number of bedrooms for Market Housing, Affordable Rent, and Affordable Intermediate tenure types

March 2023