

Consultation Response from KC, Strategic Housing
2022/93938 First and Second Floors, Shopping Precinct, New Street and Albion Street, Huddersfield, HD1 2TR
Change of use from A1 (business retail and storage) to C3 (residential) 18 studio flats at first and second floors and external alterations
Date Responded: 29/05/2024 Responding Officer: Kate Crozier Responding Ref: SH/22/93928

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). The Affordable Housing and Housing Mix SPD (adopted March 2023) provides detailed guidance and additional information to help implement Local Plan policy LP11 (Housing Mix and Affordable Housing).

Vacant Building Credit

The applicant has submitted a further application for Vacant Building Credit. Concluding that:

‘Under the terms of the Vacant Building Credit provisions the development would require 0.8 Affordable Housing units. It will not be possible to find a Registered Provider to manage 1 unit in a project so it is proposed to make a commuted sum in lieu of 0.8 units of on-site provision.’

Strategic Housings’ preference is for the one affordable housing unit to be provided on site. We require the applicant to attempt to provide this on-site provision and approach Registered Providers first before we would accept any financial contribution after an agreed timeframe, as set out in a future S106 agreement.

Vacant building credit is national policy set out in the NPPG and provides an incentive for brownfield development on 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.

Affordable housing contributions may be required for any increase in floorspace.

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.

Further information on vacant building credit is set out in the NPPG.

Please note that where existing floorspace totals are deducted from the floorspace of the proposed residential development, floorspace that will be used for anything other than residential accommodation is not included.

Affordable Housing Contribution

Affordable housing policy: The council seeks to secure 20% of dwellings on sites with 11 or more dwellings, for affordable housing. On-site provision (housing) is preferred, however where the council considers it appropriate, a financial contribution to be paid in lieu of on-site provision will be acceptable.

Affordable allocation for this development: Based on a total of 18 units, **4 units** would be sought as affordable housing.

Tenure: In terms of the tenure split for these affordable units, across the district Kirklees works on a split of 55% social or affordable rent to 45% intermediate housing. In line with latest government guidance a minimum of 25% of the affordable homes must be First Homes – forming part of the intermediate allocation.

Example – For a development of 100 units, a minimum of 20 of the unit should be affordable homes. Of those 20 unit, 11 homes (55%) should be social or affordable rent. 9 homes (45%) should be intermediate homes – 5 of which must be First Homes and the remaining 4 can be any form of intermediate tenure that the applicant wishes.

For this development, **2 homes should be affordable or social rent and 2 should be intermediate dwellings. Of the 2 intermediate dwellings, 1 home must be First Homes, and other can be any form of intermediate tenure that the applicant wishes.**

Due to the shortage of social rented properties across the district, Strategic Housing's preference is for social rented units over affordable rented units.

See definitions of social rent, affordable rent and intermediate at the end of this consultation response.

Housing Mix

Ward: Newsome

SHMA Market Area: Huddersfield South

Kirklees Strategic Housing Market Assessment (SHMA) sub area context: Previous response dated 17/01/23 set out the significant need for affordable 3+ bed properties and a lesser need for affordable 1-2 homes in Huddersfield South. Based upon the Huddersfield Town Centre Local Housing Market Assessment, Strategic Housing requested a mix of 1 and 2 bed flats to diversify the profile of households living in the town centre.

Huddersfield Town Centre Regeneration – 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. The Council seeks a more diverse mix of housing types and tenures in Huddersfield to 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).

Type: The applicant proposes a mix of 15 x 1 bed flat and 3 x studio flats. This proposal still does not meet the Council's aims to diversify the housing mix in Huddersfield Town Centre by providing a mixture of housing type. A more appropriate provision would be a mix of 1 and 2-bed properties.

Nomination Agreements

In accordance with the Council's Housing Allocations Policy, the Council seeks nomination agreements with Registered Providers in Kirklees for both social and affordable rented new build properties. There may be exceptions to this if they are negotiated at the development stage.

Discount Market Sale and First Homes are administered by the developer at the point of sale, with oversight and required approval by the council.

NDSS

The council desires that all developments meet the Government's Nationally Described Space Standards, which set out minimum requirements for internal gross floor area of new dwellings at a certain level of occupancy. The

council recognises the nationally described space standards as best practice and will seek to ensure high quality living environments.

Design

The architecture of the affordable homes should be indistinguishable from the market housing in terms of the quality of materials and finishing, the architectural details, style, and space standards. The approach to external landscaping and on-plot car parking should be indistinguishable from the market dwellings.

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.

Definitions of Affordable Housing

Social Rent – must comply with the following (i) rent set in line with the Government’s rent policy for social rented affordable housing and (ii) the landlord is Registered Provider.

Affordable Rent - must comply with the following (i) rent which is no more than 80% of local market rent (inclusive of service charges where applicable), calculated using RICS approved valuation methods (ii) the landlord is a Registered Provider and iii) includes provision to remain an affordable price for future eligible households as defined in Annex 2 of the National Planning Policy Framework (or any future guidance or initiative that replaces or supplements it)

Intermediate Housing – housing at prices and rents above those of social rent but below market price or rents. This includes Shared Ownership, Rent to Buy, Discount Market Sale, First Homes or other shared equity and low-cost home ownership schemes. Previously included Starter Homes but this tenure has now been withdrawn by the Government and replaced by First Homes.

Build to Rent

Build to Rent is 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.

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. Affordable housing in Build to Rent developments will be provided as Affordable Private Rent and will be managed by the same build to rent landlord as the market rented units.

Further details regarding Build to Rent can be found in the NPPF. If the applicant is proposing to deliver a Build to Rent scheme, please contact housing.regeneration@kirklees.gov.uk for further guidance.