

Consultation Response from KC Strategic Housing

2023/93539 at land adj, Ledgard Bridge Mill, Back Station Road, Mirfield, WF14 8NZ

Outline application, including the considerations of access appearance, layout, and scale, for the erection of a six-storey building to host 76 residential apartments (C3 use) and ancillary works comprising demolition of vacant building, formation of new access, parking areas, open space and landscaping; erection of cycle and bin refuse storage structures

Date Responded: 10/01/2024

Responding Officer: DB

Responding Ref: SH/23/93539

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).

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.

For Build to Rent developments comprised 100% of homes to be let for rent, government guidance advises that 20% of the homes, are 'Affordable Private Rent' homes. The remaining 80% of homes would be let at market rent – as 'Private Market Rent' homes.

Affordable allocation for this development: the applicant is proposing a Build to Rent development comprised of 76 2 bed flats. Based on a total of 76 units, a minimum of 15 units (20% of overall units) would be sought as Affordable Private Rent units as advised in national planning guidance and the Kirklees Affordable Housing and Housing Mix Supplementary Planning Document (SPD) 2023. This is subject to any reduction in affordable units if Vacant Building Credit applies (see below).

Tenure: Because the proposed development is Build to Rent, the affordable tenure type for the development, should be Affordable Private Rent units (20% of overall units).

Affordable Private Rent should be set at a level that is at least 20% less than the private market rent (inclusive of service charges) for the same or equivalent property. Further government guidance regarding Build to Rent and Affordable Private Rent is available here:

<https://www.gov.uk/guidance/build-to-rent> .

As per NPPF paragraph 66, Build to Rent developments are exempt from providing affordable home ownership units such as 'First Homes'. As such, no 'affordable home ownership' tenure units are required from this proposed development, only Affordable Private Rent units.

Housing Mix

Ward: Mirfield

SHMA Market Area: Dewsbury and Mirfield

Kirklees Strategic Housing Market Assessment (SHMA) sub area context:

Strategic Housing at pre-application stage in a previous response in February 2022 advised that there was significant demand for affordable 3+ bed units in the area, however as affordable housing of all types was in need across Kirklees, for this development, the proposed 2 beds were acceptable.

The Affordable Housing and Housing Supplementary Planning Document (SPD), adopted March 2023, sets out housing mix tables for each sub-area. The proposal falls within the Dewsbury and Mirfield sub-area- the following table based on local need, would apply:

<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

As this proposal has received pre-application advice prior to the adoption of this SPD, this development is not required to comply with the housing mix in the table above. However, the applicant may wish to amend their proposed mix to meet the need identified in the table across the relevant tenures.

Eligibility to occupy Affordable Private Rent Homes

Eligibility for occupying affordable private rented homes should be agreed locally between the local authority and the scheme operator, but with regard to criteria set out in planning guidance.

Final decisions over the occupancy criteria for affordable private rent homes should be made by the build to rent scheme operator, working with the authority...Eligibility should be determined with regard to local household income levels, related to local rent levels'. – govt Build to Rent guidance summary.

The applicant is advised to contact Strategic Housing (email: housing.regeneration@kirklees.gov.uk) during the planning process, to discuss details regarding the provision of affordable Build to Rent units in Kirklees.

NDSS

The council desires that all developments meet the Government's Nationally Described Space Standard, which sets out minimum requirements for internal gross floor area of new dwellings at a certain level of occupancy. The council recognises the nationally described space standard as best practice and will seek to ensure high quality living environments.

This proposal meets and exceeds the Nationally Described Space Standard for 2 bed, 1 storey 3 person dwellings.

Design

The architecture of affordable homes should be indistinguishable from the standard of any such similar market housing that could be provided in the same development, 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 also be indistinguishable.

Vacant Building Credit

The applicant notes an existing building on the site. If it is vacant, Vacant Building Credit may apply:

Government guidance and policy set out in planning practice guidance and the National Planning Policy Framework, notes the following on vacant building credit (VBC):

‘National policy 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 floor-space of relevant vacant buildings when calculating any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floor-space’.

-Planning practice guidance (Planning obligations).

‘To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount- equivalent to the existing gross floor-space of the existing buildings. This does not apply to vacant buildings which have been abandoned’.

-National Planning Policy Framework.

If VBC applies, this could mean a reduction in the amount of affordable provision.

To calculate a vacant building credit, the applicant would need to confirm:

- That the existing building(s) were vacant at the time the application was submitted.
- The floor-space of the relevant existing vacant building(s), in square metres and confirmation of if they are partially or totally vacant.
- A schedule of accommodation /the residential floor-space of the proposed new development in square metres.
 - For wholly residential schemes the total proposed Gross Internal Area (GIA) will be the GIA of all dwellings.
 - Where flatted development is proposed the GIA will include all communal and circulation areas.
 - For mixed use schemes, the GIA of the proposed residential elements only will be included.

Strategic Housing would take the view of the LPA regarding if the existing building is vacant and VBC applies.