Consultation Response from KC, Strategic Housing
2024/91853 Birkenshaw Liberal Club, 10, Croft Street, Birkenshaw, BD11 2HT
Erection of 18 dwellings with garages, formation of adoptable road, private road and parking spaces and new car park and beer garden for the Liberal Club
Date Responded: 14/08/2024 Responding Officer: K Crozier Responding Ref: SH/24/91853

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.

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

For this development, the applicant currently proposes 0 affordable units, which the Council doesn't support.

Tenure: In terms of affordable tenure split, 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 6 intermediate dwellings, 1 home must be First Homes, and the other 1 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: Birstall and Birkenshaw
SHMA Market Area: Batley and Spen
Kirklees Strategic Housing Market Assessment (SHMA) sub area context: 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 Batley and Spen sub-area, so the following table applies based on local need.

Batley and Spen	Market Housing	Affordable Rent	Affordable Immediate
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%

The table above should be used as a starting point for both market housing and affordable housing mix. 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.

Type: The applicant proposes a mix of 2, 3 and 4+ bed dwellings. The following tables shows the proposed housing mix for each tenure.

	Market Housing	Affordable Rent	Affordable Immediate
1 and 2-bed	4 (22%)	0 (0%)	0 (0%)
3-bed	8 (45%)	0 (0%)	0 (0%)
4+ bed	6 (33%)	0 (0%)	0 (0%)

Strategic Housing request that the housing mix is amended to comply with the Housing Mix table for Huddersfield South set out above and in the SPD. If the applicant is unable to provide a compliant mix, evidence-based justification must be provided.

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.
There is not enough information to determine with the proposal meets Nationally Described Space Standard.

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.

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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 – includes Shared Ownership, Rent to Buy, Discount Market Sale and First Homes. 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.