Consultation Response from KC Strategic Housing		
2024/93474 at 35 St John's Rd, Birkby, Huddersfield, HD1 5DX		
Change of use from vacant industrial unit to 21 flats / maisonettes including partial demolition and new build		
Date Responded: 23/04/2025	**Responding Officer:** DB	**Responding Ref:** SH/24/93474

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.

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Site location
Ward: Greenhead
Kirklees Strategic Housing Market Assessment (SHMA) sub-area: Huddersfield North

Affordable housing for this development:

The application notes the following: 'proposals will create 21 affordable units. The applicant is in negotiations with a number of very interested housing bodies looking to take on and manage the completed building. The accommodation will include a range of 1 bed flats and 3-bedroom maisonettes'.

At minimum, 20% of the overall units - 4 units, would be sought for as affordable housing. Providing more than the minimum 20% affordable units, with a 100% affordable development as proposed, is welcomed.

When the applicant has further details of what type of affordable housing is proposed (see definitions of affordable housing below), and after the noted negotiations with housing bodies, Strategic Housing would like to be advised what type of affordable housing is proposed for the development, and is available to discuss the affordable housing.

Affordable housing tenure mix:
The standard affordable housing requirements for proposed market sale development would usually be that 20% of the units are affordable housing. And of those affordable units, the affordable tenure mix would usually be as below:

- 55% Registered Provider Social Rent or Affordable Rent units
- 45% Intermediate affordable housing units, made up of: 25% First Homes, and 20% other Intermediate provision- such as Registered Provider Shared Ownership homes or Discounted Market Sale units.

As the applicant has proposed 100% affordable units, the whole development can be 100% Social Rent or Affordable Rent, and there is no requirement to provide any Intermediate affordable housing.
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Regarding Vacant Building Credit, it is noted that there is a vacant existing building on site.

Vacant Building Credit: 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 applied, this could mean a reduction (partial or total) in the amount of affordable allocation required from a development. However the applicant has advised they are proposing 100% affordable units for this development, therefore VBC would not be necessary/sought.

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Affordable house types for this development:

Advised affordable housing- types for Huddersfield North, from Kirklees' affordable housing SPD are below:

Huddersfield North	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

The above table should usually be used as a starting point for developments with both market housing and affordable housing. 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 the SPD. Proposals that depart from the guidance set out in the SPD will need to provide evidence-based justification through the planning application process.

Type: There's demand for affordable 1–2-bedroom homes in particular in the area, as well as affordable 3+ bedroom homes. The proposed 3 bed homes and 1 bed flats are suitable regarding house type mix, the applicant may want to consider during negotiations with housing bodies if they may also want to include some 2 beds.

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

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

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Housing and affordable housing definitions:

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.

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 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. The affordable units should be 'pepper potted' – distributed across the development for example in clusters of 2,3 or 4 units together , rather than all situated in one section of the development.

Definitions of Affordable Housing

Affordable Housing - housing for sale or rent, for those whose needs are not met by the market as per Annex 2 of the NPPF. It is expected that most types of affordable homes (excluding Build to Rent ('Private Affordable Rent' homes- see below), 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 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.

Registered Providers – a registered provider of social housing such as a housing stock holding council, or a housing association, as defined in the Housing and Regeneration Act 2008 or any company or other body approved by the Homes England for receipt of social housing grant as may be proposed by the Owner and approved by the Council.

Social Rent – Social Rents are set using a government formula. This creates a 'formula rent' for each property, which is calculated in a way that takes account of the relative value of the property, the size of the property and relative local income levels. This is typically the most affordable form of rent, lower than Affordable Rent (see below) and market rents.

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 affordable 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 Affordable Housing – Intermediate affordable housing is housing at prices and rents above those of social rent but below market price or rents, and which meet the criteria as set out in the definition for affordable housing. This can include equity loan products, intermediate rent, Shared

Ownership, Rent to Buy, Discount Market Sale and First Homes. Starter Homes were previously included 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.

Build to Rent developments do not require the involvement of a Registered Provider. Affordable housing in Build to Rent developments will be provided as Affordable Private Rent and will typically be managed by the same build to rent landlord/operator as the market rented 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 details regarding Build to Rent can be found in the government's online National Planning Policy Guidance. If the applicant is proposing to deliver a Build to Rent scheme, please contact housing.regeneration@kirklees.gov.uk for further guidance.