



# ADUR DISTRICT COUNCIL

Executive Member for Regeneration  
5 March 2020

Decision to be taken on or after  
13 March 2020

Key Decision: No

Ward(s) Affected: All wards outside of South Downs  
National Park Authority

## Clarification of Adur Affordable Housing Threshold

### Report by the Director for the Economy

#### Executive Summary

#### **1 Purpose**

- 1.1 This report seeks to clarify the threshold for seeking affordable housing for development in the Adur Local Plan area. Although the Adur Local Plan (adopted in 2017) includes such a threshold (11 dwellings), the National Planning Policy Framework (NPPF) published subsequent to this in 2018 has provided a national minimum level at which contributions can be sought (10 dwellings). This report therefore recommends an approach which would see the NPPF threshold being used for development management purposes.

#### **2 Recommendations**

2.1 It is recommended that:

- i) the Executive Member considers the comments made by the Adur Planning Committee concerning the recommendation that the NPPF threshold should be used for development management purposes;
- ii) that the Executive Member for Regeneration agrees that the affordable housing threshold within the National Planning Policy Framework of 10

dwelling, be used for Development Management purposes as set out in the attached Interim Policy Statement (see Appendix 1);  
iii) that the attached Interim Policy Statement be posted on the Council's website, and  
iv) that the Council's Local Validation List be updated to reflect this.

### **3.0 Context**

3.1 Policy 21 of the the Adur Local Plan 2017 relates to affordable housing. It currently has a threshold of 11 dwellings, at which point affordable housing is sought. This threshold was based on the national policy approach at that time. (See the report to Adur Planning Committee 10th February 2020 for more background to the setting of the threshold).

3.2 Subsequently, in July 2018 the Government published an update to their planning policy guidance within the revised National Planning Policy Framework (NPPF). This reaffirmed their view that contributions should not be sought from smaller developments. Paragraph 63 of the NPPF 2018 states:

*'Provision of affordable housing should not be sought for residential developments that are not major developments.'*

3.3 (Major developments are defined in the Glossary to the NPPF as 'development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more). In other words, affordable housing cannot be sought from minor development (9 units or less). As such this allows affordable housing to be sought for developments of 10 or more dwellings, and differs from the previous Written Ministerial Statement, and adopted Adur Local Plan wording. The NPPF is, of course, the Government's planning policy guidance, and a material consideration in the assessment of planning applications.

### **4.0 Issues for consideration**

4.1 Given that the national policy context has changed it seems appropriate to clarify how the approach to affordable housing in Adur will operate. Given that high levels of affordable need still exist, that small sites continue to play a valuable role in Adur's housing supply, and that previous viability work supported contributions from developments as small as 1 unit, it is proposed that the contributions threshold set out in the NPPF (10 dwellings or more) will

be used as a revised threshold for securing affordable housing contributions, for development management purposes.

- 4.2 This is proposed as an interim measure prior to the review of the Adur Local Plan. Attached at Appendix 1 is a proposed Interim Statement which sets out the suggested approach. (All other elements of Policy 21 would remain the same).
- 4.3 To ensure that there are no adverse impacts on development, where viability constraints can be robustly demonstrated the Council will continue to apply a degree of flexibility against this requirement to ensure that appropriate and sustainable development continues to come forward in Adur.
- 4.4 It should be noted that the NPPF is a statement of policy, rather than legislation; while there is no requirement for the Council to change its approach at this stage it is considered appropriate to take an approach which falls in line with the national position and is supported by local evidence and need.
- 4.5 Use of the NPPF threshold was discussed at Adur Planning Committee on 10th February 2020. The Committee was keen to ensure that the Council does all it can to ensure the delivery of affordable housing.

## **5.0 Engagement and Communication**

- 5.1 Extensive consultation was carried out on Policy 21 of the Adur Local Plan as it progressed through the statutory local plan process. This proposal seeks to utilise the threshold in Government policy which was itself subject to consultation and significant publicity.
- 5.2 It is proposed that the Interim Affordable Housing Statement (attached) is put on the Council's website to inform potential applicants. In addition the Local Validation List for Adur & Worthing Councils would be updated to reflect the revised threshold.

## **6.0 Financial Implications**

- 6.1 There are no direct financial implications arising from the proposed change to the Local Plan. Viability matters affecting individual housing proposals will be assessed on a case-by-case basis.

## **7.0 Legal Implications**

- 7.1** Affordable housing contributions are secured under Section 106 of the Town and Country Planning Act 1990 (as amended).

### **Background Papers**

- Report to Adur Planning Committee 10th February 2020
- Written Ministerial Statement 28th November 2014.
- National Planning Policy Framework July 2018 (and 2019 update)
- Adur Local Plan 2017.

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## **Sustainability & Risk Assessment**

### **1. Economic**

- Proposal has a positive benefit in seeking affordable homes within the local area to support the local economy.

### **2. Social**

#### **2.1 Social Value**

- This proposal will have a positive benefit by seeking to secure a higher number of affordable homes.

#### **2.2 Equality Issues**

- No issues identified.

#### **2.3 Community Safety Issues (Section 17)**

- No issues identified.

#### **2.4 Human Rights Issues**

- No issues identified.

### **3. Environmental**

- No specific issues identified; Policy 21 of the Adur Local Plan 2017 was subject to Sustainability Appraisal as part of the Local Plan process.

### **4. Governance**

- The proposal relates to Policy 21 of the Adur Local Plan 2017; also seeks to deliver Platform 2 Our Social Economy (Platforms For Our Places) 2.2: Enabling and increasing the number of affordable and suitable homes in our communities.
- This proposal will have a positive benefit by securing a higher number of affordable homes.

## **Appendix 1**

## **DRAFT ADUR INTERIM AFFORDABLE HOUSING POSITION STATEMENT 2020**

Policy 21 of the Adur Local Plan 2017 states that affordable housing contributions will be sought from developments of 11 dwellings or more.

Since adoption of the Local Plan, the Government has published a revised version of the National Planning Policy Framework. Paragraph 63 of the National Planning Policy Framework (NPPF) 2019 states:

*‘Provision of affordable housing should not be sought for residential developments that are not major developments.’*

Major developments are defined in the Glossary to the NPPF as ‘*development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more*’.

National policy therefore allows affordable housing to be sought from developments of 10 or more dwellings. This is a material consideration for development management purposes and it is considered appropriate to review the Council’s position.

As such, from XXDATEXX Adur District Council will use the NPPF threshold of 10 dwellings for seeking affordable housing contributions. The justification for this approach is based on:

- The importance of small sites in contributing to Adur’s housing supply;
- The high levels of need for affordable homes in Adur;
- Previous viability work which supports this approach, together with assessments of viability on a case-by-case basis.

This is an interim position statement that establishes the Council’s approach in advance of a review of Policy 21 of the Adur Local Plan. This interim approach would help to deliver some additional affordable homes in Adur and ensure a consistent approach with national planning policy. It is not considered that this will have an adverse impact on the viability of development in Adur. However, it should be noted that where viability matters can be robustly demonstrated the Council will continue to apply a degree of flexibility against this requirement to ensure that appropriate and sustainable development continues to come forward in Adur.

Date.