

# Initial Consultation Statement

Affordable Housing  
Supplementary Planning Document

November 2021



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# 1 Introduction

The Affordable Housing Supplementary Planning Document (SPD) will provide guidance on the key policies of the Suffolk Coastal Local Plan (SCLP) and Waveney Local Plan (WLP) that are intended to communicate the Council's expectations for the appropriate number, mix, design and location of affordable housing to be delivered in the district over the plan period to 2036. The SPD will also provide guidance on Section 106 agreements, financial contributions for off-site provision, community-led affordable housing, Local Housing Needs Assessments, viability assessments, exception sites, and making planning applications.

Once adopted, the Affordable Housing Supplementary Planning Document will replace the following documents:

- [Affordable Housing Supplementary Planning Document \(May 2012\)](#) – this relates to the former Waveney local planning authority area;
- [Supplementary Planning Guidance 2 Affordable Housing \(July 2004\)](#) – this relates to the former Suffolk Coastal area.

This Consultation Statement was produced under Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) to accompany the consultation on the Draft SPD which is being held between 1<sup>st</sup> November and 13<sup>th</sup> December 2021. The statement outlines the initial consultation that has been undertaken to inform the preparation of the SPD.

The Council's approach to engagement in the preparation of a Supplementary Planning Document is set out in the Statement of Community Involvement<sup>1</sup>.

## 2. Who was consulted?

The following organisations and groups were consulted as part of the initial consultation:

- Registered Providers of affordable housing
- Community led housing organisations
- Town and Parish Councils
- Elected members
- Developers / landowners / agents
- Suffolk County Council

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<sup>1</sup> How to get Involved in Local Planning – Statement of Community Involvement (April 2021)

- Home Builders Federation
- Homes England
- Members of the public

### 3. How were they contacted?

The initial consultation ran from 9<sup>th</sup> November to 21<sup>st</sup> December 2020 and the consultation documents were made available on the East Suffolk Council website via the pages below:

<https://eastsuffolk.inconsult.uk/affordablehousingspd2020/consultationHome>

The consultation was advertised on the Council's website, as well as on social media. A questionnaire, providing some background to the consultation and asking a series of questions, was published on the Council's website. Town and parish councils, elected members and other organisations referred to above were notified directly by email or post.

Hard copies of the document were also made available free of charge by post by contacting the Planning Policy and Delivery team as the usual locations for viewing documents were closed to the public, due to the Covid-19 pandemic.

The consultation asked the following questions:

1. Do you consider that the proposed content of the SPD is appropriate?  
Yes/No  
If no, please suggest how the scope and content of the SPD should be amended.
2. Are there any elements of the existing [Affordable Housing Supplementary Planning Document \(May 2012\)](#) or the [Supplementary Planning Guidance 2 Affordable Housing \(July 2004\)](#) that should be retained?  
Please provide details.
3. Are there any elements of the existing [Affordable Housing Supplementary Planning Document \(May 2012\)](#) or the [Supplementary Planning Guidance 2 Affordable Housing \(July 2004\)](#) that should **not** be retained?  
Please provide details.
4. Are there any specific elements of the Local Plan policies that you consider require additional guidance in the SPD?  
If yes, please explain what guidance is required.
5. Are there any elements of national policy on affordable housing that you consider require additional guidance in the SPD?  
If yes, please explain what guidance is required.

6. Are there any specific elements of Section 106 agreements that you consider need particular explanation or guidance in the SPD?  
If yes, please explain what guidance is required.
7. Do you have any views on the design of affordable housing that you consider should be addressed in the SPD?
8. Are you aware of any good practice in existing SPDs from elsewhere that could be applied in East Suffolk?  
If yes, please provide details.
9. Do you have any other comments for us to consider in drafting the Affordable Housing SPD?

In total 22 individuals and organisations responded to the consultation. Between them they made 194 comments, as summarised in the table in Appendix 1.

Full copies of the responses have been published on the Council's website at <https://eastsoffolk.inconsult.uk/affordablehousingspd2020/listResponses>.

As part of the initial consultation the Council also held a focused virtual roundtable session involving stakeholders who regularly engage with the Council on the preparation of Section 106 agreements on affordable housing (developers and Registered Providers and their legal representatives) to seek views on the preparation of model Heads of Terms and Template Clauses. This was held over two sessions, the first to discuss general matters and the second focusing on emerging draft wording. A summary of the matters raised is contained in Appendix 2.

## Appendix 1 – Initial Consultation

The table below lists the main issues raised in the consultation responses, the Council’s response and how they informed the preparation of the document.

### 1. Do you consider that the proposed content of the SPD is appropriate?

<b>Respondent</b>	<b>Summary of Comments</b>	<b>Council response</b>
Artisan PPS Ltd (Short, Leslie)	Yes	Noted
Councillor Beavan (East Suffolk Councillor)	Yes	Noted
Reydon Parish Council (Jordan, Julie)	Yes	Noted
Trimley St Martin Parish Council (Ley, Caroline)	Yes	Noted
Felixstowe Town Council (Tadjrishi, Ash)	Reference should be made to self build schemes and assistance available to those looking to self build.	Guidance on affordable self-build has been included in the SPD. As the focus of the SPD is on affordable housing and self and custom build are not necessarily affordable by definition (unless built as an affordable tenure) the focus is on matters associated with developing affordable self build. The Council’s webpages on self build and custom build provide further information

		including links to national organisations for further information. See <a href="https://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/self-build-and-custom-build/">https://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/self-build-and-custom-build/</a> .
Greenhill, Chris	No. Affordable housing provided in new development should be to rent. The consequence of favouring home ownership has been a decline in housing to rent at affordable rents. A proportion of the population are unlikely to be able to buy their own homes.	The SPD cannot set new policy. The Local Plan policies (SCLP5.10 and WLP8.2) set out policy on the tenure split and this reflects national policy and the Strategic Housing Market Assessment which is a key piece of evidence underpinning the Local Plan policies. Guidance is covered under Chapter 3 'Identifying an appropriate mix of affordable housing'.
Felixstowe Town Council (Tadjrishi, Ash)	The most up to date evidence should be used to establish an appropriate mix of tenures.	The SPD cannot set new policy. The Local Plan policies (SCLP5.10 and WLP8.2) set out policy on the tenure split and this reflects national policy and the Strategic Housing Market Assessment which is a key piece of evidence underpinning the Local Plan policies. Guidance is covered in Chapter 3 of the Draft SPD on identifying an appropriate mix of affordable housing.
Felixstowe Town Council (Tadjrishi, Ash)	Energy efficiency standards, parking, access to electric charging points, access to cycling and walking links, and access to public transport for new affordable housing units/developments should be delivered at the same quality level as equivalent sized and located market value units/developments.	Chapter 7 of the Draft SPD on design explains that the policies of the Local Plans that relate to design apply to affordable housing as well as to market housing.
Felixstowe Town Council (Tadjrishi, Ash)	The SPD should be clear on how East Suffolk Council will be involved in developing its own housing stock.	The Council has produced a Housing Development Strategy which sets out the Council's approach to the direct provision of affordable housing. This is referred to in the introduction to the SPD and can be viewed at <a href="https://www.paperturn-">https://www.paperturn-</a>

		<a href="http://view.com/uk/east-suffolk/housing-development-strategy?pid=NzU75318&amp;v=1.1">view.com/uk/east-suffolk/housing-development-strategy?pid=NzU75318&amp;v=1.1</a> .
Great Bealings Parish Council (Knights, Dee)	Yes. Appropriate subject to the need to review the Neighbourhood Plan.	Reference to Neighbourhood Plans being able to set their own policies based on evidence is included in the introduction.
Kettleburgh Parish Council	Generally consider the content is appropriate however would hope that there is sufficient detail to address the concerns of our Parish and issues faced by Small Villages.	Comment noted – see responses to other comments from Kettleburgh Parish Council.

2. Are there any elements of the existing Affordable Housing Supplementary Planning Document (May 2012) or the Supplementary Planning Guidance 2 Affordable Housing (July 2004) that should be retained? Please provide details.

<b>Respondent</b>	<b>Summary of Response</b>	<b>Council Response</b>
Artisan PPS Ltd (Short, Leslie)	No	Response noted.
Reydon Parish Council (Jordan, Julie)	The important elements appear to be included in the proposals.	Comment noted.
Felixstowe Town Council (Tadjrishi, Ash)	The 2004 SPG contained useful background sections on the gaps between wages and house prices, resulting social problems and the role of Affordable Housing policies and contained a brief and clear summary of Government and local policies. This should be done in 'layman's' style. There should be an explanation of what an SPD is. There should be a glossary and an Appendix containing the full Local Plan policies with the addition of cross references to longer Local Plan sections. The 2004 SPG also contained a useful sub-heading on the 'threshold' approach.	The Council has developed a template style for the SPDs it is producing in order that users can navigate similarly laid out documents. The Introduction provides the context to the affordable housing issue in East Suffolk but the focus of the SPD is on providing guidance for the implementation of the Local Plan policies. There is not considered to be a need to include the full text of the Local Plan policies as the SPD should be read alongside the Local Plan. Chapter 7 of existing SPG 2 contained a lot of detail on the 'threshold' approach i.e. affordable housing as a proportion of housing development due to the Local Plan policies in place at the time. As the Local Plans set out clear policy requirements for the proportion and tenure mix of affordable housing expected there is no need to evidence this through the SPD.

Greenhill, Chris	Retain provided that the emphasis is on affordable housing to rent.	The SPD cannot set new policy. The Local Plan policies (SCLP5.10 and WLP8.2) set out policy on the tenure split and this reflects national policy and the Strategic Housing Market Assessment which is a key piece of evidence underpinning the Local Plan policies. Guidance is covered under Chapter 3 'Identifying an appropriate mix of affordable housing'.
Peninsula Villages Community Land Trust (Brown, Jenny)	CLTs should also be included as providers of affordable housing. References to social housing should be enlarged to include 'social and other affordable housing'. The number and type of properties required by key workers should be included.	Reference to Community Land Trusts, as a form of community-led housing, is included in the SPD, in particular under Chapter 2 'Types of affordable housing'.  The policies in the Local Plans refer to the tenure types that are expected where affordable housing is delivered as part of residential development. Information on different tenures is expanded on in the SPD. The SPD also contains guidance on identifying an appropriate mix to inform the development of exception sites.
Peninsula Villages Community Land Trust (Brown, Jenny)	The provision of cash in lieu of housing should be available for 15 rather than ten years and part should be available to CLTs.	The Council is preparing a commuted sums spending policy. Reference to the commuted sums policy has been included in the SPD.
Home Builders Federation (Behrendt, Mark)	It is necessary to maintain the elements relating to financial viability. It is especially the case for the Waveney area as the Local Plan was adopted in the transition between the 2012 and 2019 NPPFs. A viability note is attached.	Guidance on viability is set out in Appendix G of the Suffolk Coastal Local Plan and Appendix 5 of the Waveney Local Plan. The SPD cross refers to this.

Pigeon Investment Management (Pathfinder Development Consultants)	Retain the elements related to viability. Necessary steps where a variation is sought should be simple and timely. Developers should be able to continue to negotiate. This is especially true in Waveney as the Local Plan was adopted in the transition between the 2012 and 2019 NPPFs.	Guidance on viability is set out in Appendix G of the Suffolk Coastal Local Plan and Appendix 5 of the Waveney Local Plan. The SPD cross refers to this.
Kettleburgh Parish Council	The headings from the 2004 SPG should be retained with further elaborations. There should be more detailed consideration on Small Villages.	The broad headings and content have been retained / adapted where appropriate. The guidance would apply to development coming forward in Small Villages.
Peninsula Villages Community Land Trust (Brown, Jenny)	It should be acknowledged that housing provided by CLTs have no rights to buy.	This is explained in Chapter 2 of the Draft SPD which provides information about community led affordable housing.

3. Are there any elements of the existing Affordable Housing Supplementary Planning Document (May 2012) or the Supplementary Planning Guidance 2 Affordable Housing (July 2004) that should not be retained? Please provide details.

<b>Respondent</b>	<b>Summary of Response</b>	<b>Council Response</b>
Felixstowe Town Council (Tadjrishi, Ash)	It will not be relevant to have a lengthy interpretation of Local Plan policies as they have been recently adopted.	The SPD provides interpretation of Local Plan policies, such as around identifying local needs for affordable housing, however the focus is on areas of policy where additional guidance is to be provided.
Kettleburgh Parish Council	N/A	Response noted
Reydon Parish Council (Jordan, Julie)	N/A	Response noted

#### 4. Are there any specific elements of the Local Plan policies that you consider require additional guidance in the SPD?

Respondent	Summary of Response	Council Response
Artisan PPS Ltd (Short, Leslie)	No	Response noted
Felixstowe Town Council (Tadjrishi, Ash)	No	Response noted
Councillor Beavan (East Suffolk Councillor)	Yes. Special provision should be made for tourist areas where supply is reduced and private rents are beyond the scope of working families. The housing market also inflates land values. If intermediate rent could be charged then more affordable homes could be provided.	The exception sites policies in the Local Plans (SCLP5.11 and WLP8.6) allow for the development of affordable housing in locations where market housing would not be supported, and therefore where market land values should not be expected. Rent to Buy includes a period of intermediate rent, as set out in Chapter 2 of the draft SPD which explains the different tenures of affordable housing. The Strategic Housing Market Assessment, which has evidenced the affordable housing policies in the Local Plans, considered the needs for affordable housing and the tenures that would help to address those needs.
Reydon Parish Council (Jordan, Julie)	Yes. There should be a rigorous assessment in place to justify market housing on exception sites, reduced proportions of affordable housing or commuted sums.	The policies only support reduced affordable provision in exceptional circumstances. Exception site policies (SCLP5.11 and WLP8.6) only support market housing where needed to cross subsidise affordable housing provision.

Kettleburgh Parish Council	Yes. Consider over and under supply of affordable housing in small villages - more may come forward yet it is difficult to fill existing ones.	Chapter 6 on Exception Sites and Chapter 8 on local housing needs assessments set out guidance in relation to identifying needs for affordable housing. Any future development of affordable housing on exception sites should be informed by an assessment of local need.
Great Bealings Parish Council (Knights, Dee)	The standing of the NP should be reconfirmed subject to any review required in the context of the new Local Plan.	The SPD acknowledges that Neighbourhood Plans may also contain policies related to affordable housing.
Kettleburgh Parish Council	There should be guidance on controlling housing in the countryside including in clusters (SCLP5.4) and on exception sites (SCLP5.11). SCLP5.10 Settlement Coalescence should be rigorously tested to ensure exception sites do not lead to coalescence.	Chapter 6 on Exception Sites sets out guidance on applying the part of the policies that state that the character and setting of a settlement should be retained or enhanced. Policy SCLP5.4 is not covered by this SPD as it relates to the provision of housing more generally and not just affordable housing.

## 5. Are there any elements of national policy on affordable housing that you consider require additional guidance in the SPD?

Respondent	Summary of Response	Council Response
Artisan PPS Ltd (Short, Leslie)	Yes. The SPD should cover entry level exception sites as per para 71 of the NPPF.	Paragraph 5.72 of the Suffolk Coastal Local Plan explains that such schemes would be supported under Policy SCLP5.10 where they form part of a mix of affordable housing provision identified in a housing needs survey. The Planning Practice Guidance on First Homes was published in May 2021 and also sets out policy for First Homes exceptions sites which has been referenced in Chapter 6 of the draft SPD.
Felixstowe Town Council (Tadjrishi, Ash)	Yes. National planning policy on affordable housing should be clearly reflected in the SPD and consistent with housing policies on affordable housing.	National policy as set out in the National Planning Policy Framework and the Planning Practice Guidance (including PPG on First Homes and Build to Rent) is referred to in the draft SPD.
Greenhill, Chris	Yes. Do not agree with national policy emphasis on affordable home ownership	Response noted. The tenure mixes are set out in Local Plan policies SCLP5.10 and WLP8.2.
Reydon Parish Council (Jordan, Julie)	Yes. The tenure mix of affordable housing in designated rural areas should be restricted to affordable rented and shared ownership with a staircasing limit of 80%.	The tenure mixes set out in the Local Plan policies have been informed by the assessment of housing need undertaken through the Strategic Housing Market Assessment. The Government has also recently introduced a First Homes policy under which 25% of affordable housing delivered on a residential development through a planning obligation should be First Homes. Where an exception site comes forward the need would need to be identified through a housing needs

		assessment as set out in Chapter 6 and Chapter 8 of the draft SPD.
Kettleburgh Parish Council	Yes. Concerned that the NPPF does not provide sufficient protection from residential development in the countryside that is visually harmful.	In terms of affordable housing in the Countryside, the exception sites policies (SCLP5.11 and WLP8.6) require that development should retain or enhance the character and setting of the settlement. The SPD provides further guidance in Chapter 6 and Chapter 7.
Kettleburgh Parish Council	Concern over the impact of development of affordable housing on the countryside. The need for development should not take priority over protecting the countryside.	In terms of affordable housing in the Countryside, the exception sites policies (SCLP5.11 and WLP8.6) require that development should retain or enhance the character and setting of the settlement. The SPD provides further guidance in Chapter 6 and Chapter 7.

## 6. Are there any specific elements of Section 106 agreements that you consider need particular explanation or guidance in the SPD?

<b>Respondent</b>	<b>Summary of Response</b>	<b>Council Response</b>
Artisan PPS Ltd (Short, Leslie)	Yes. Setting standard trigger point(s) for the phased delivery of affordable housing in alignment with market housing and incorporating within standard model terms.	The draft model Heads of Terms in Appendix 2 of the Draft SPD sets out trigger points for the phasing of market housing alongside the occupation of affordable housing.
Felixstowe Town Council (Tadjrishi, Ash)	Yes. Clarity should be provided on where S106 is applicable and where CIL is applicable.	Reference has been included in the SPD to the Council's Discretionary Social Housing Relief Policy and how this operates, in Chapter 11.
Great Bealings Parish Council (Knights, Dee)	Yes. Local priority is essential in the context of a small rural community	A local connections cascade is set out in the draft Model Heads of Terms and Template Clauses which would be applied to new affordable housing development unless otherwise agreed.
Hopkins Homes Ltd (Pathfinder Development Consultants)	The biggest cause of delay is an appropriately worded Mortgagee in possession clause that is acceptable to the Registered Providers' funders. Model clauses should be agreed with Registered Providers to avoid lengthy delays while Deeds of Variation are agreed and implemented. The Council should not seek to inappropriately secure affordable housing in perpetuity. Wording agreed elsewhere is put forward for consideration covering 'chargee' and 'charge provisions'.	A mortgagee protection clause has been included in the draft Model Heads of Terms and Template Clauses in Appendix 2 of the draft SPD. The Council anticipates that a mortgagee protection clause will be published by the Government in its template planning obligations in relation to First Homes.
Park Properties	The biggest cause of delay is an appropriately worded Mortgagee in possession clause that is acceptable to the	A mortgagee protection clause has been included in the draft Model Heads of Terms and Template Clauses in Appendix 2 of

(Pathfinder Development Consultants)	Registered Providers' funders. Model clauses should be agreed with Registered Providers to avoid lengthy delays while Deeds of Variation are agreed and implemented. The Council should not seek to inappropriately secure affordable housing in perpetuity. Wording agreed elsewhere is put forward for consideration covering 'chargee' and 'charge provisions'.	the draft SPD. The Council anticipates that a mortgagee protection clause will be published by the Government in its template planning obligations in relation to First Homes.
Pigeon Investment Management (Pathfinder Development Consultants)	Yes. The biggest cause of delay is an appropriately worded Mortgagee in possession clause that is acceptable to the Registered Providers' funders. Model clauses should be agreed with Registered Providers to avoid lengthy delays while Deeds of Variation are agreed and implemented. The Council should not seek to inappropriately secure affordable housing in perpetuity. Wording agreed elsewhere is put forward for consideration covering 'chargee' and 'charge provisions'.	A mortgagee protection clause has been included in the draft Model Heads of Terms and Template Clauses in Appendix 2 of the draft SPD. The Council anticipates that a mortgagee protection clause will be published by the Government in its template planning obligations in relation to First Homes.
Wellington (Pathfinder Development Consultants)	The biggest cause of delay is an appropriately worded Mortgagee in possession clause that is acceptable to the Registered Providers' funders. Model clauses should be agreed with Registered Providers to avoid lengthy delays while Deeds of Variation are agreed and implemented. The Council should not seek to inappropriately secure affordable housing in perpetuity. Wording agreed elsewhere is put forward for consideration covering 'chargee' and 'charge provisions'.	A mortgagee protection clause has been included in the draft Model Heads of Terms and Template Clauses in Appendix 2 of the draft SPD. The Council anticipates that a mortgagee protection clause will be published by the Government in its template planning obligations in relation to First Homes.

Reydon Parish Council (Jordan, Julie)	Yes. S106 agreements should be encouraged by guidance and/or model text which enable affordable housing to be maintained in perpetuity including outside DPAs.	The draft model Heads of Terms require affordable housing to be retained in perpetuity or for the proceeds from a final sale to be held by the Registered Provider and reinvested in affordable housing in East Suffolk.
Kettleburgh Parish Council	Yes. CIL payments should be explained in detail. Landscape and drainage enhancements should be addressed, including SuDS, new hedgerows and tree planting, and every project should identify these opportunities.	Chapter 11 of the draft SPD includes information on CIL in relation to affordable housing. Chapter 7 on the design of affordable housing provides guidance on integrating affordable housing and explains that sustainable construction policies apply to affordable housing development. Further guidance on sustainable construction including SuDS is contained in the draft Sustainable Construction SPD.
Felixstowe Town Council (Tadjrishi, Ash)	Yes. Clarity should be provided on where S106 is applicable and where CIL is applicable.	Chapter 11 includes information on CIL in relation to affordable housing.
Kettleburgh Parish Council	CIL payments should be explained in detail and should cover the upgrade to services and infrastructure. Landscape and civil drainage enhancements should be addressed. There should be a mechanism that enables every project to identify enhancement and mitigation.	Chapter 11 includes information on CIL in relation to affordable housing.

## 7. Do you have any views on the design of affordable housing that you consider should be addressed in the SPD?

<b>Respondent</b>	<b>Summary of Response</b>	<b>Council Response</b>
Artisan PPS Ltd (Short, Leslie)	There should be clarity on whether the Council will be adopting Nationally Described Space Standards for affordable housing.	The Nationally Described Space Standards have not been included in the adopted Local Plans, but reference to them is encouraged in Chapter 7 of the draft SPD.
Bungay Town Council	All new builds to be built to high environmental standards, and units to be larger internally and with more outside space.	Chapter 7 of the draft SPD explains that the design policies of the Local Plans apply to affordable housing and sets out guidance in relation to provision of sufficient indoor and outdoor space in terms of both quantity and quality.
Greenhill, Chris	Affordable housing needs similar if not better design than private sector housing.	Chapter 7 of the draft SPD explains that the design policies of the Local Plans apply to affordable housing and sets out guidance in relation to 'tenure blind' design. It wouldn't be appropriate to expect or require higher quality design of affordable housing (than market housing) as this would lead to market housing being of a lower quality of design.
Felixstowe Town Council (Tadjrishi, Ash)	Design standards should be the same regardless of tenure type; affordable housing should be indistinguishable from market housing.	Chapter 7 of the draft SPD explains that the design policies of the Local Plans apply to affordable housing and sets out guidance in relation to 'tenure blind' design.
Great Bealings Parish Council (Knights, Dee)	'Made' Neighbourhood Plan policies should guide the design of affordable housing exception sites.	Chapter 7 of the draft SPD acknowledges that Neighbourhood Plans may have design policies that would apply to proposals for exception sites.

<p>Hopkins Homes Ltd (Pathfinder Development Consultants)</p>	<p>The policies of both Local Plans should undergo viability assessment.</p> <p>Affordable housing should be clustered in groups of no more than 30 dwellings, smaller clusters are inappropriate as 15 affordable rented (50%) would be a very modest amount.</p> <p>The affordable housing element of schemes should be designed to minimise service charges relating to common and shared space as they affect affordability.</p> <p>Apartment blocks should be tenure specific where possible, or have separate accesses, in order to enable the freehold transfer to an RP.</p>	<p>Viability assessment was carried out as part of Local Plan preparation, and the policies in the Local Plan are therefore considered viable to achieve.</p> <p>The SPD seeks to ensure that affordable housing is integrated and therefore Chapter 7 sets out that clustering should be proportionate and that generally a cluster of up to 10 dwellings would be considered appropriate.</p> <p>From a design point of view the SPD would encourage mixed tenure apartment blocks however recognises that this can cause operational issues so does provide for circumstances where single tenure would need to be provided.</p>
<p>Park Properties (Pathfinder Development Consultants)</p>	<p>The policies of both Local Plans should undergo viability assessment.</p> <p>Affordable housing should be clustered in groups of no more than 30 dwellings, smaller clusters are inappropriate as 15 affordable rented (50%) would be a very modest amount.</p> <p>The affordable housing element of schemes should be designed to minimise service charges relating to common and shared space as they affect affordability.</p>	<p>Viability assessment was carried out as part of Local Plan preparation, and the policies in the Local Plan are therefore considered viable to achieve.</p> <p>The SPD seeks to ensure that affordable housing is integrated and therefore Chapter 7 sets out that clustering should be proportionate and that generally a cluster of up to 10 dwellings would be considered appropriate.</p> <p>From a design point of view the SPD would encourage mixed tenure apartment blocks however recognises that this can</p>

	<p>Apartment blocks should be tenure specific where possible, or have separate accesses, in order to enable the freehold transfer to an RP.</p>	<p>cause operational issues so does provide for circumstances where single tenure would need to be provided</p>
<p>Pigeon Investment Management (Pathfinder Development Consultants)</p>	<p>The policies of both Local Plans should undergo viability assessment.</p> <p>Affordable housing should be clustered in groups of no more than 30 dwellings, smaller clusters are inappropriate as 15 affordable rented (50%) would be a very modest amount.</p> <p>The affordable housing element of schemes should be designed to minimise service charges relating to common and shared space as they affect affordability.</p> <p>Apartment blocks should be tenure specific where possible, or have separate accesses, in order to enable the freehold transfer to an RP.</p>	<p>Viability assessment was carried out as part of Local Plan preparation, and the policies in the Local Plan are therefore considered viable to achieve.</p> <p>The SPD seeks to ensure that affordable housing is integrated and therefore Chapter 7 sets out that clustering should be proportionate and that generally a cluster of up to 10 dwellings would be considered appropriate.</p> <p>From a design point of view the SPD would encourage mixed tenure apartment blocks however recognises that this can cause operational issues so does provide for circumstances where single tenure would need to be provided</p>
<p>Wellington (Pathfinder Development Consultants)</p>	<p>The policies of both Local Plans should undergo viability assessment.</p> <p>Affordable housing should be clustered in groups of no more than 30 dwellings, smaller clusters are inappropriate as 15 affordable rented (50%) would be a very modest amount.</p> <p>The affordable housing element of schemes should be</p>	<p>Viability assessment was carried out as part of Local Plan preparation, and the policies in the Local Plan are therefore considered viable to achieve.</p> <p>The SPD seeks to ensure that affordable housing is integrated and therefore Chapter 7 sets out that clustering should be proportionate and that generally a cluster of up to 10 dwellings would be considered appropriate.</p>

	<p>designed to minimise service charges relating to common and shared space as they affect affordability.</p> <p>Apartment blocks should be tenure specific where possible, or have separate accesses, in order to enable the freehold transfer to an RP.</p>	<p>From a design point of view the SPD would encourage mixed tenure apartment blocks however recognises that this can cause operational issues so does provide for circumstances where single tenure would need to be provided</p>
Kettleburgh Parish Council	<p>All housing should be of an equal standard to be indistinguishable as affordable.</p>	<p>Chapter 7 of the draft SPD provides guidance on achieving 'tenure blind' design and also sets out that the Local Plan design policies apply to affordable housing.</p>
Reydon Parish Council (Jordan, Julie)	<p>Affordable housing should be sustainable and low carbon and of the same design quality as market housing. It should be sited throughout a development.</p>	<p>Chapter 7 of the draft SPD states that the sustainable construction policies of the Local Plans apply to affordable housing and also provides guidance on achieving 'tenure blind' design. Chapter 7 also contains guidance on appropriate distribution of affordable housing throughout a development.</p>
Trimley St Martin Parish Council (Ley, Caroline)	<p>There should be emphasis on achieving the highest standards of energy efficiency.</p>	<p>Chapter 7 of the draft SPD explains that the sustainable construction policies of the Local Plans will apply to affordable housing. The SPD cannot set greater requirements for energy efficiency than the Local Plans. The Council is also producing a Sustainable Construction SPD which provides further guidance on energy efficiency.</p>

## 8. Are you aware of any good practice in existing SPDs from elsewhere that could be applied in East Suffolk?

<b>Respondent</b>	<b>Summary of Response</b>	<b>Council Response</b>
Artisan PPS Ltd (Short, Leslie)	No. There should be input from Housing officers at pre-app stage as the scale, type and tenure of affordable housing can be critical to viability appraisal at land acquisition stage.	The draft SPD strongly encourages early engagement between developers and Registered Providers. Advice on housing mix can be provided at pre-application stage.
Bungay Town Council	Goldsmith Street, Norwich referred to as an example to be aspired to.	A photograph of Goldsmith Street in Norwich has been included in the design chapter, Chapter 7.
Felixstowe Town Council (Tadjrishi, Ash)	No	Response noted
Kettleburgh Parish Council	No comment	Response noted
Reydon Parish Council (Jordan, Julie)	No	Response noted

## 9. Do you have any other comments for us to consider in drafting the Affordable Housing SPD?

<b>Respondent</b>	<b>Summary of Response</b>	<b>Council Response</b>
Home Builders Federation (Behrendt, Mark)	The SPD must be clear that it does not set policy that may be used to refuse an application.	It is explained in the Introduction that the SPD provides guidance on the implementation of existing Local Plan policies.
Pigeon Investment Management (Pathfinder Development Consultants)	The SPD should not contain policies. The legal distinction between the SPD and Local Plan should be clearly set out.	It is explained in the Introduction that the SPD provides guidance on the implementation of existing Local Plan policies.
Hopkins Homes Ltd (Pathfinder Development Consultants)	The SPD should facilitate rather than introduce additional controls that would hinder the delivery of new homes.	It is explained in the Introduction that the SPD provides guidance on the implementation of existing Local Plan policies. The provision of up to date guidance, such as the Model Heads of Terms, are intended to assist with the planning application process.
Park Properties (Pathfinder Development Consultants)	The SPD should facilitate rather than introduce additional controls that would hinder the delivery of new homes.	It is explained in the Introduction that the SPD provides guidance on the implementation of existing Local Plan policies. The provision of up to date guidance, such as the Model Heads of Terms, are intended to assist with the planning application process.

Wellington (Pathfinder Development Consultants)	The SPD should facilitate rather than introduce additional controls that would hinder the delivery of new homes.	It is explained in the Introduction that the SPD provides guidance on the implementation of existing Local Plan policies. The provision of up to date guidance, such as the Model Heads of Terms, are intended to assist with the planning application process.
Woodbridge Town Council (Mussett, Gordon)	As there is no Local Plan for East Suffolk the SPD may fail to include nuances between the two Local Plans.	The SPD, where relevant, specifically highlights any differences of approach between the two Local Plans and provides guidance accordingly.
Gladman Developments Ltd (Fleming, John)	Request to be kept up to date on progress and future documents. The SPD should not create new policy. It is important that the SPD is flexible and consistent with national policy. It should not restrict development or place onerous requirements on development that may threaten viability. The SPD should be flexible to allow for sites to be discussed and negotiated on a case by case basis.	It is explained in the Introduction that the SPD provides guidance on the implementation of existing Local Plan policies.
Home Builders Federation (Behrendt, Mark)	The presentation of the SPD should not lead users to consider that guidance is policy.	We have adopted a template approach to SPD presentation and it is explained in the Introduction that the SPD provides guidance on the implementation of existing Local Plan policies.
Pigeon Investment Management (Pathfinder Development Consultants)	The presentation of the SPD should not lead users to consider that guidance is policy.	We have adopted a template approach to SPD presentation and it is explained in the Introduction that the SPD provides guidance on the implementation of existing Local Plan policies.

Hopkins Homes Ltd (Pathfinder Development Consultants)	Consider a workshop with RPs and developers before the SPD is finalised to ensure the document assists with maximising affordable housing delivery.	As part of the initial consultation targeted discussion took place with those who regularly engage with the Council on the preparation of S106 agreements in relation to the drafting of the Model Heads of Terms and Template Clauses that are set out in Appendix 2 of the draft SPD. The public consultation on the draft SPD provides an opportunity for comments to be made on the draft SPD.
Park Properties (Pathfinder Development Consultants)	Consider a workshop with RPs and developers before the SPD is finalised to ensure the document assists with maximising affordable housing delivery.	As part of the initial consultation targeted discussion took place with those who regularly engage with the Council on the preparation of S106 agreements in relation to the drafting of the Model Heads of Terms and Template Clauses that are set out in Appendix 2 of the draft SPD. The public consultation on the draft SPD provides an opportunity for comments to be made on the draft SPD.
Wellington (Pathfinder Development Consultants)	Consider a workshop with RPs and developers before the SPD is finalised to ensure the document assists with maximising affordable housing delivery.	As part of the initial consultation targeted discussion took place with those who regularly engage with the Council on the preparation of S106 agreements in relation to the drafting of the Model Heads of Terms and Template Clauses that are set out in Appendix 2 of the draft SPD. The public consultation on the draft SPD provides an opportunity for comments to be made on the draft SPD.
Pigeon Investment Management (Pathfinder Development Consultants)	Consider a workshop with RPs, developers, land promoters and home builders before the SPD is finalised to ensure the document assists with maximising affordable housing delivery.	As part of the initial consultation targeted discussion took place with those who regularly engage with the Council on the preparation of S106 agreements in relation to the drafting of the Model Heads of Terms and Template Clauses that are set out in Appendix 2 of the draft SPD. The public consultation on

		the draft SPD provides an opportunity for comments to be made on the draft SPD.
Hopkins Homes Ltd (Pathfinder Development Consultants)	The SPD should not add to the definitions in the NPPF, such as by including reference to Local Housing Allowance rates. This places undue risk on RPs and harms scheme viability. S106 should not become overly prescriptive at an early stage, there needs to be flexibility allowing for circumstances to evolve particularly on larger sites. There may also be a mismatch between need and supply. Sufficient mortgage products need to exist for intermediate tenures to work in practice.	<p>The draft SPD provides further explanation of the different tenures of affordable housing, based on the definitions in the NPPF, in Chapter 2 of the draft SPD.</p> <p>The Model Heads of Terms and Template Clauses are intended to set out the Council's position but the SPD does acknowledge that flexibility may be needed in some cases. The SPD does emphasise early engagement with Registered Providers to ensure that an RP is willing and able to take on the affordable dwellings.</p>
Park Properties (Pathfinder Development Consultants)	The SPD should not add to the definitions in the NPPF, such as by including reference to Local Housing Allowance rates. This places undue risk on RPs and harms scheme viability. S106 should not become overly prescriptive at an early stage, there needs to be flexibility allowing for circumstances to evolve particularly on larger sites. There may also be a mismatch between need and supply. Sufficient mortgage products need to exist for intermediate tenures to work in practice.	<p>The draft SPD provides further explanation of the different tenures of affordable housing, based on the definitions in the NPPF, in Chapter 2 of the draft SPD.</p> <p>The Model Heads of Terms and Template Clauses are intended to set out the Council's position but the SPD does acknowledge that flexibility may be needed in some cases. The SPD does emphasise early engagement with Registered Providers to ensure that an RP is willing and able to take on the affordable dwellings.</p>
Wellington (Pathfinder Development Consultants)	The SPD should not add to the definitions in the NPPF, such as by including reference to Local Housing Allowance rates. This places undue risk on RPs and harms scheme viability. S106 should not become overly	The draft SPD provides further explanation of the different tenures of affordable housing, based on the definitions in the NPPF, in Chapter 2 of the draft SPD.

	<p>prescriptive at an early stage, there needs to be flexibility allowing for circumstances to evolve particularly on larger sites. There may also be a mismatch between need and supply. Sufficient mortgage products need to exist for intermediate tenures to work in practice.</p>	<p>The Model Heads of Terms and Template Clauses are intended to set out the Council's position but the SPD does acknowledge that flexibility may be needed in some cases. The SPD does emphasise early engagement with Registered Providers to ensure that an RP is willing and able to take on the affordable dwellings.</p>
<p>Pigeon Investment Management (Pathfinder Development Consultants)</p>	<p>The SPD should not add to the definitions in the NPPF, such as by including reference to Local Housing Allowance rates. This places undue risk on RPs and harms scheme viability. S106 should not become overly prescriptive at an early stage, there needs to be flexibility allowing for circumstances to evolve particularly on larger sites. There may also be a mismatch between need and supply. Sufficient mortgage products need to exist for intermediate tenures to work in practice.</p>	<p>The draft SPD provides further explanation of the different tenures of affordable housing, based on the definitions in the NPPF, in Chapter 2 of the draft SPD.</p> <p>The Model Heads of Terms and Template Clauses are intended to set out the Council's position but the SPD does acknowledge that flexibility may be needed in some cases. The SPD does emphasise early engagement with Registered Providers to ensure that an RP is willing and able to take on the affordable dwellings.</p>
<p>Artisan PPS Ltd (Leslie Short)</p>	<p>Clarity required on which organisation should sell discounted market housing within the unit numbers defined as affordable</p>	<p>The Government has introduced First Homes in May 2021 as a new tenure of discounted market sale housing and guidance on these has been included in the draft SPD. First Homes are initially sold by the developer – the draft SPD contains a link to the Planning Practice Guidance on First Homes which contains further details.</p>
<p>Westerfield Parish Council (Miller, Peter)</p>	<p>The Fullers Field scheme in Westerfield does not include Shared Ownership or starter home / discounted ownership and would not meet the proportions in the Local Plan. Details of how Shared Ownership will be</p>	<p>The development referred to was granted permission under the former Local Plan. The guidance in the draft SPD sets out when certain details of the affordable housing should be provided. An Affordable Housing Statement should be submitted with a</p>

	<p>applied should be clearly stated at an early stage - if too expensive it will not help those on low incomes. Details of how affordable housing will be provided should be provided before permission is granted - permission should not be granted until these details are included. All applications for more than 10 dwellings should have their full complement of shared ownership and discounted ownership.</p>	<p>planning application and the SPD provides guidance in Chapter 12 on what details should be provided. Applications will be expected to provide a mix of tenures consistent with Policy SCLP5.10 (in the former Suffolk Coastal area), which expects 25% Shared Ownership and 25% discounted home ownership (to be applied as First Homes).</p>
<p>Woodbridge Town Council (Mussett, Gordon)</p>	<p>The SPD should set out the minimum percentage of rented affordable homes to be provided based on a housing needs assessment.</p>	<p>Policies SCLP5.10 and WLP8.2 set out the percentage of affordable rented that would be sought, the SPD is not amending this but providing guidance on how it could be implemented. The guidance on local housing needs assessments in Chapter 8 of the draft SPD sets out guidance on identifying needs in the context of exception sites where the tenure mix is not set out in policy.</p>
<p>Inspired Villages (Pearce, Ellen)</p>	<p>Class C2 is exempt from providing affordable housing. Further clarification should be given on the Council's position regarding class C2. Inspired Villages is responsible for the operation, ownership, management of the site and maintenance of significant communal facilities. communal facilities are around 25% of floorspace. A retirement community is a single planning unit. A document is attached which include recommendations which should be considered. the May 2012 SPD did not require C2 to provide affordable housing.</p>	<p>It has been determined by the courts that Class C2 can include accommodation in the form of dwellings and therefore the Affordable Housing SPD sets out that in these circumstances the policy requirements for affordable housing should be applied. The Local Plan policies do not distinguish between dwellings that are C2 or C3.</p>

Woodbridge Town Council (Mussett, Gordon)	Requirements for affordable housing on specialist housing developments and build to rent developments should be based on local housing need.	The draft SPD provides guidance on specialist housing in Chapter 3 and sets out that needs for affordable specialist housing could be identified through the Gateway to HomeChoice housing register. For Build to Rent developments, Chapter 2 of the draft SPD explains that ownership tenures would not be expected to be provided in accordance with the Planning Practice Guidance on Build to Rent.
Hopkins Homes Ltd (Pathfinder Development Consultants)	Welcome the SPD providing guidance on how an appropriate mix (size and tenure) is to be identified. A developer's knowledge of the market is often more robust. On smaller schemes it is generally only viable to deliver a limited range of house types than to try to meet every need.	The policies in the Local Plans (SCLP5.10 and WLP8.2) do not specify different tenure mixes for different scales of development.
Park Properties (Pathfinder Development Consultants)	Welcome the SPD providing guidance on how an appropriate mix (size and tenure) is to be identified. A developer's knowledge of the market is often more robust. On smaller schemes it is generally only viable to deliver a limited range of house types than to try to meet every need.	The policies in the Local Plans (SCLP5.10 and WLP8.2) do not specify different tenure mixes for different scales of development.
Wellington (Pathfinder Development Consultants)	Welcome the SPD providing guidance on how an appropriate mix (size and tenure) is to be identified. A developer's knowledge of the market is often more robust. On smaller schemes it is generally only viable to deliver a limited range of house types than to try to meet every need.	The policies in the Local Plans (SCLP5.10 and WLP8.2) do not specify different tenure mixes for different scales of development.

Pigeon Investment Management (Pathfinder Development Consultants)	Welcome the SPD providing guidance on how an appropriate mix (size and tenure) is to be identified. A developer's knowledge of the market is often more robust. On smaller schemes it is generally only viable to deliver a limited range of house types than to try to meet every need.	The policies in the Local Plans (SCLP5.10 and WLP8.2) do not specify different tenure mixes for different scales of development.
Woodbridge Town Council (Mussett, Gordon)	The appropriate mix/tenure should have reference to the town/parish analysis of need not the District-wide analysis.	Policies SCLP5.10 and WLP8.2 reflect the needs identified in the Strategic Housing Market Assessment and it is appropriate for sites to deliver this mix as the sites are contributing to district-wide growth. Reference is also made to the Housing Register, as set out in Chapter 3 of the draft SPD.
Gladman Developments Ltd (Fleming, John)	There should be a flexible approach to enable sites to be considered on a site by site basis.	The policies in the Local Plans (SCLP5.10 and WLP8.2) do not specify different tenure mixes for different scales of development. The draft SPD recognises the role of different sources of information on need, such as the Housing Register, within the context of the tenure mixes set out in the policies.
Great Bealings Parish Council (Dee Knights)	A mix of tenures is understood as is the potential for self build.	Comment noted. Guidance on affordable self and custom build is set out in Chapter 2 of the draft SPD.
Hagar Babbington Esquire	It would be good to have more self builds to enhance the local area and to be eco friendly	Guidance on affordable self and custom build is set out in Chapter 2 of the draft SPD.
Hopkins Homes Ltd (Pathfinder Development Consultants)	Entry level exception sites should be covered.	Reference to entry level exception sites is included in Chapter 6 of the draft SPD, covering exception sites.

Park Properties (Pathfinder Development Consultants)	Entry level exception sites should be covered.	Reference to entry level exception sites is included in Chapter 6 of the draft SPD, covering exception sites.
Wellington (Pathfinder Development Consultants)	Entry level exception sites should be covered.	Reference to entry level exception sites is included in Chapter 6 of the draft SPD, covering exception sites.
Pigeon Investment Management (Pathfinder Development Consultants)	Entry level exception sites should be covered.	Reference to entry level exception sites is included in Chapter 6 of the draft SPD, covering exception sites.
Hopkins Homes Ltd (Pathfinder Development Consultants)	Inclusion of market housing to bring forward rural exception sites to be covered	Chapter 6 of the draft SPD, related to exception sites, contains guidance in relation to the circumstances in which market housing may form part of the housing mix on an exception site.
Park Properties (Pathfinder Development Consultants)	Inclusion of market housing to bring forward rural exception sites to be covered	Chapter 6 of the draft SPD, related to exception sites, contains guidance in relation to the circumstances in which market housing may form part of the housing mix on an exception site.
Wellington (Pathfinder Development Consultants)	Inclusion of market housing to bring forward rural exception sites to be covered	Chapter 6 of the draft SPD, related to exception sites, contains guidance in relation to the circumstances in which market housing may form part of the housing mix on an exception site.

Pigeon Investment Management (Pathfinder Development Consultants)	Inclusion of market housing to bring forward rural exception sites to be covered	Chapter 6 of the draft SPD, related to exception sites, contains guidance in relation to the circumstances in which market housing may form part of the housing mix on an exception site.
Hopkins Homes Ltd (Pathfinder Development Consultants)	Staircasing on intermediate housing should be covered	Staircasing is covered in the draft Model Heads of Terms and Template Clauses in Appendix 2 of the draft SPD.
Park Properties (Pathfinder Development Consultants)	Staircasing on intermediate housing should be covered	Staircasing is covered in the draft Model Heads of Terms and Template Clauses in Appendix 2 of the draft SPD.
Wellington (Pathfinder Development Consultants)	Staircasing on intermediate housing should be covered	Staircasing is covered in the draft Model Heads of Terms and Template Clauses in Appendix 2 of the draft SPD.
Pigeon Investment Management (Pathfinder Development Consultants)	Staircasing on intermediate housing should be covered	Staircasing is covered in the draft Model Heads of Terms and Template Clauses in Appendix 2 of the draft SPD.
Westerfield Parish Council (Miller, Peter)	Greater effort should be made to ensure the precise details of ownership of affordable housing is laid out in the planning application.	The draft SPD encourages developers to engage with Registered Providers at an early stage. It is expected that an Affordable Housing Statement will be submitted with a planning application

		and that this will provide details of the proposed affordable housing (see Chapter 12 of the draft SPD).
Gladman Developments Ltd (Fleming, John)	Whilst model Heads of Terms may be useful, the SPD will need to be flexible so that specific issues can be discussed and negotiated on a site by site basis as all schemes vary.	Chapter 4 on Section 106 agreements acknowledges that there may be circumstances where flexibility will need to be provided in relation to the Model Heads of Terms and Template Clauses, however these are the starting point and provide clarity on the Council's expectations.
Woodbridge Town Council (Mussett, Gordon)	Support inclusion of model Heads of Terms but there should be Town/Parish Council involvement in developing alternatives if specific and exceptional circumstances dictate.	Town and Parish Councils are able to respond to consultations on planning applications and this could in turn inform the S106 agreement where appropriate.
Westerfield Parish Council (Miller, Peter)	Consideration should be given to the inclusion of model clauses for S106 agreements.	Template Clauses are included – see Chapter 6 and Appendix 2 of the draft SPD.
Hopkins Homes Ltd (Pathfinder Development Consultants)	The appropriate trigger point for transfer to an RP should be no less than 50% of open market homes being occupied, with further triggers on larger sites. Phasing should ensure affordable housing delivery is proportionate to market housing delivery. Site specific flexibility is necessary.	The Model Heads of Terms and Template Clauses in Appendix 2 of the draft SPD set out a trigger point of 60% occupation of market housing, and an option for this to be staggered where sufficient justification is provided.
Park Properties (Pathfinder Development Consultants)	The appropriate trigger point for transfer to an RP should be no less than 50% of open market homes being occupied, with further triggers on larger sites. Phasing should ensure affordable housing delivery is proportionate to market housing delivery. Site specific flexibility is necessary.	The Model Heads of Terms and Template Clauses in Appendix 2 of the draft SPD set out a trigger point of 60% occupation of market housing, and an option for this to be staggered where sufficient justification is provided.

Wellington (Pathfinder Development Consultants)	The appropriate trigger point for transfer to an RP should be no less than 50% of open market homes being occupied, with further triggers on larger sites. Phasing should ensure affordable housing delivery is proportionate to market housing delivery. Site specific flexibility is necessary.	The Model Heads of Terms and Template Clauses in Appendix 2 of the draft SPD set out a trigger point of 60% occupation of market housing, and an option for this to be staggered where sufficient justification is provided.
Peninsula Villages Community Land Trust (Brown, Jenny)	S106 agreements should recognise that community led housing organisations can deliver affordable housing	This is recognised in the draft Model Heads of Terms and Template Clauses in Appendix 2.
Great Bealings Parish Council (Knights, Dee)	A S106 would need to secure housing to meet local needs	The draft Model Heads of Terms in Appendix 2 refer to the local connection cascade which recognises local connections as a priority.
Hopkins Homes Ltd (Pathfinder Development Consultants)	The S106 should allow for amendments to the Affordable Housing Scheme by agreement between the council and developer to allow for flexibility e.g. with house types.	Chapter 4 of the draft SPD encourages early engagement with Registered Providers to reduce the risk of changes being made later on.
Park Properties (Pathfinder Development Consultants)	The S106 should allow for amendments to the Affordable Housing Scheme by agreement between the council and developer to allow for flexibility e.g. with house types.	Chapter 4 of the draft SPD encourages early engagement with Registered Providers to reduce the risk of changes being made later on.

Wellington (Pathfinder Development Consultants)	The S106 should allow for amendments to the Affordable Housing Scheme by agreement between the council and developer to allow for flexibility e.g. with house types.	Chapter 4 of the draft SPD encourages early engagement with Registered Providers to reduce the risk of changes being made later on.
Pigeon Investment Management (Pathfinder Development Consultants)	The S106 should allow for amendments to the Affordable Housing Scheme by agreement between the council and developer to allow for flexibility e.g. with house types.	Chapter 4 of the draft SPD encourages early engagement with Registered Providers to reduce the risk of changes being made later on.
Hopkins Homes Ltd (Pathfinder Development Consultants)	The SPD should not go beyond the Council's allocations policy for rented housing - this can reduce interest from RPs due to concerns about void times and demand. For intermediate housing it is more important to list criteria such as income, district connection and the seller should satisfy themselves the criteria have been met.	The allocations policy remains outside of the SPD. A local connections cascade is set out in the draft Model Heads of Terms and Template Clauses, and for intermediate housing this refers to a connection with East Suffolk.
Park Properties (Pathfinder Development Consultants)	The SPD should not go beyond the Council's allocations policy for rented housing - this can reduce interest from RPs due to concerns about void times and demand. For intermediate housing it is more important to list criteria such as income, district connection and the seller should satisfy themselves the criteria have been met.	The allocations policy remains outside of the SPD. A local connections cascade is set out in the draft Model Heads of Terms and Template Clauses, and for intermediate housing this refers to a connection with East Suffolk.
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Gladman Developments Ltd (Fleming, John)	Support the inclusion of advice on the circumstances when a commuted sum may be payable and how this will be determined. This will enable costs to be calculated in the early stages.	Response noted.
Woodbridge Town Council (Mussett, Gordon)	The SPD should set out the Council's approach to spending commuted sums. It is unacceptable for a commuted sum to be spent miles away.	The SPD sets out that to ensure that suitable options for spending commuted sums can be identified, commuted sums will usually be able to be spent across East Suffolk. This provides greater opportunities for pooling sums and being able to take advantage of opportunities which arise, and minimises the risk of sums having to be refunded. The approach to spending will be set out outside the SPD in the Council's commuted sums spending policy which is currently under preparation.
Peninsula Villages Community Land Trust (Jenny Brown)	The SPD should note that, whenever possible, commuted sums drawn from new development in rural areas should be used to address local housing need in that immediate, rural area.	The SPD sets out that to ensure that suitable options for spending commuted sums can be identified, commuted sums will usually be able to be spent across East Suffolk. This provides greater opportunities for pooling sums and being able to take advantage of opportunities which arise, and minimises

		the risk of sums having to be refunded. The approach to spending will be set out outside the SPD in the Council's commuted sums spending policy which is currently under preparation.
Hopkins Homes Ltd (Pathfinder Development Consultants)	The SPD should explain how contributions will be calculated e.g. a simple formula based on open market value, net of sales costs, less anticipated RP offer prices. Affordable housing under 5 units and apartment scheme are examples where commuted sums may be more sensible, or where there are high service or maintenance costs.	Chapter 5 of the draft SPD provides guidance on calculating commuted sums. The Council separately publishes the commuted sum values and updates these regularly. These are published at <a href="#">Former Suffolk Coastal area Section 106 » East Suffolk Council</a> and <a href="#">Former Waveney area Section 106 » East Suffolk Council</a> .
Park Properties (Pathfinder Development Consultants)	The SPD should explain how contributions will be calculated e.g. a simple formula based on open market value, net of sales costs, less anticipated RP offer prices. Affordable housing under 5 units and apartment scheme are examples where commuted sums may be more sensible, or where there are high service or maintenance costs.	Chapter 5 of the draft SPD provides guidance on calculating commuted sums. The Council separately publishes the commuted sum values and updates these regularly. These are published at <a href="#">Former Suffolk Coastal area Section 106 » East Suffolk Council</a> and <a href="#">Former Waveney area Section 106 » East Suffolk Council</a> .
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Woodbridge Town Council (Mussett, Gordon)	Given the current economic circumstances whereby developers may wish to reduce their contributions, should policies SCLP5.10 and WLP8.2 be strengthened?	The SPD cannot amend the requirements of the Local Plan policies.
Gladman Developments Ltd (Fleming, John)	The SPD should cross reference the requirements of SCLP5.10 and WLP8.2 or subsequent policies. The Council should seek to secure the maximum level of affordable housing that would not adversely affect viability, in particular in lower value areas.	The policy requirements have been viability tested as part of the production of the Local Plans. Policy WLP8.2 sets out different requirements for different value areas. Chapter 9 of the draft SPD clarifies that a lower amount or different tenure mix rather than zero provision would be preferred.
Home Builders Federation (Behrendt, Mark)	The HBF Local Plan Viability Guidance note is attached with the response. This sets out a number of 'concerns' to the approach taken to viability assessments in Local Plans.	The Local Plans have been subject to Whole Plan Viability Assessment and have been Examined and found to be 'sound'.
Hopkins Homes Ltd (Pathfinder Development Consultants)	The necessary steps where a 'variation' to the requirement is sought should be as simple and timely as possible to facilitate scheme delivery.	The guidance in the SPD is clear that variations would be in exceptional circumstances and that this would be rigorously assessed. Chapter 9 of the draft SPD clarifies that a lower amount or different tenure mix rather than zero provision would be preferred. Guidance on undertaking viability

		assessments is also set out in Appendix G of the Suffolk Coastal Local Plan and Appendix 5 of the Waveney Local Plan.
Park Properties (Pathfinder Development Consultants)	The necessary steps where a 'variation' to the requirement is sought should be as simple and timely as possible to facilitate scheme delivery.	The guidance in the SPD is clear that variations would be in exceptional circumstances and that this would be rigorously assessed. Chapter 9 of the draft SPD clarifies that a lower amount or different tenure mix rather than zero provision would be preferred. Guidance on undertaking viability assessments is also set out in Appendix G of the Suffolk Coastal Local Plan and Appendix 5 of the Waveney Local Plan.
Wellington (Pathfinder Development Consultants)	The necessary steps where a 'variation' to the requirement is sought should be as simple and timely as possible to facilitate scheme delivery.	The guidance in the SPD is clear that variations would be in exceptional circumstances and that this would be rigorously assessed. Chapter 9 of the draft SPD clarifies that a lower amount or different tenure mix rather than zero provision would be preferred. Guidance on undertaking viability assessments is also set out in Appendix G of the Suffolk Coastal Local Plan and Appendix 5 of the Waveney Local Plan.
Home Builders Federation (Behrendt, Mark)	Disagrees with the interpretation of national guidance on the implementation of vacant buildings credit presented in the Council's Vacant Building Credit Advice Note and with the Council's position that the CIL Regulations guidance on how to determine whether a building is vacant can be used for this purpose. The requirement for it to have been not in continuous use for a period of 6 months or more over a 3 year period is not consistent with the guidance. The term vacant	The Planning Practice Guidance on Planning Obligations sets out that the vacant buildings credit policy is intended to incentivise brownfield development and that local planning authorities should have regard to that intention. Applying the policy to any building not currently in use could therefore result in buildings becoming vacant to benefit from the policy which would be contrary to the Government's aims.

	should be applied to any building that is currently not occupied.	
Pigeon Investment Management (Pathfinder Development Consultants)	Bringing the existing guidance note into the SPD is to be welcomed. The Council should not use the CIL definition of vacant as this is not covered in the PPG. The term vacant should be applied to any building that is currently not occupied. The requirement for it to not have been in continuous use for a period of 6 months or more over a 3 year period is not consistent with guidance.	The Planning Practice Guidance on Planning Obligations sets out that the vacant buildings credit policy is intended to incentivise brownfield development and that local planning authorities should have regard to that intention. Applying the policy to any building not currently in use could therefore result in buildings becoming vacant to benefit from the policy which would be contrary to the Government's aims.
Woodbridge Town Council (Gordon Mussett)	The SPD should include the footnote to paragraph 63 of the NPPF which states 'Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned.'	The SPD explains the national policy and cross refers to paragraph 63 of the NPPF.
Hopkins Homes Ltd (Pathfinder Development Consultants)	Bringing the existing guidance note into the SPD is to be welcomed.	Comment noted.
Park Properties (Pathfinder Development Consultants)	Bringing the existing guidance note into the SPD is to be welcomed.	Comment noted.
Wellington (Pathfinder)	Bringing the existing guidance note into the SPD is to be welcomed.	Comment noted.

Development Consultants)		
Hopkins Homes Ltd (Pathfinder Development Consultants)	All properties should achieve minimum sizes and standards acceptable to RPs but not additional requirements that have not been tested through whole plan viability. Nationally Described Space Standards should not be required - most RPs do not look for this. It may lead to fewer affordable homes being delivered.	Chapter 7 encourages reference to the Nationally Described Space Standards but does not require these to be met, noting that they are not a requirement of policy.
Park Properties (Pathfinder Development Consultants)	All properties should achieve minimum sizes and standards acceptable to RPs but not additional requirements that have not been tested through whole plan viability. Nationally Described Space Standards should not be required - most RPs do not look for this. It may lead to fewer affordable homes being delivered.	Chapter 7 encourages reference to the Nationally Described Space Standards but does not require these to be met, noting that they are not a requirement of policy.
Wellington (Pathfinder Development Consultants)	All properties should achieve minimum sizes and standards acceptable to RPs but not additional requirements that have not been tested through whole plan viability. Nationally Described Space Standards should not be required - most RPs do not look for this. It may lead to fewer affordable homes being delivered.	Chapter 7 encourages reference to the Nationally Described Space Standards but does not require these to be met, noting that they are not a requirement of policy.
Woodbridge Town Council (Mussett, Gordon)	Affordable housing should be designed to meet the highest thermal insulation rating as lower income families are disproportionately affected by energy costs. Alternative heating methods such as ground source heat pumps should be used.	It is not possible for the SPD to set new policy, however Chapter 7 on design sets out that the sustainable construction policies of the Local Plans apply to affordable housing.

Felixstowe Town Council (Tadjrishi, Ash)	The SPD should include guidance on ensuring a proportion of affordable homes are accessible for those with disabilities.	Policy SCLP5.8 and Policy WLP8.31 require at least 50% and at least 40% respectively of dwellings on sites of 10 or more dwellings to be constructed to accessible and adaptable home standards under Part M4(2) of the Building Regulations. Chapter 7 and Chapter 3 of the draft SPD expect that a proportion of the required accessible and adaptable dwellings should be within the affordable tenure.
Suffolk Coastal Disability Forum (Morris, Margaret)	The respondent suggests the AH SPD includes guidance on ensuring a proportion of affordable homes are accessible for those with disabilities.	Policy SCLP5.8 and Policy WLP8.31 require at least 50% and at least 40% respectively of dwellings on sites of 10 or more dwellings to be constructed to accessible and adaptable home standards under Part M4(2) of the Building Regulations. Chapter 7 and Chapter 3 of the Draft SPD expect that a proportion of the required accessible and adaptable dwellings should be within the affordable tenure.
Woodbridge Town Council (Mussett, Gordon)	There should be a requirement that affordable housing is linked to existing public footpaths or cycleways and that there should be a developer contribution to enable this.	Chapter 7 of the draft SPD sets out that affordable dwellings should have consistent access to sustainable transport infrastructure (including walking and cycling) as part of the guidance on securing tenure blind design.
Hagar Babbington Esquire	A lasting legacy should be left for future generations and should work with nature – a link to a case study is provided.	Response noted. The Council is also preparing a Sustainable Construction Supplementary Planning Document which includes guidance on integrating measures to support biodiversity.
Peninsula Villages Community Land Trust	Community based housing needs surveys/knowledge should be included.	Chapter 8 of the draft SPD contains guidance on undertaking local housing needs surveys.

(Brown, Jenny)		
Woodbridge Town Council (Mussett, Gordon)	The Strategic Housing Market Assessment is now some years old and due to time and Covid should be re-assessed.	The SHMA underpins the Local Plan policies and therefore it is not appropriate to revisit it until the next Local Plan review. However, the policies acknowledge the role for local assessments of housing need. The purpose and role of the SHMA in informing the mix of affordable housing is set out in Chapter 3.
Great Bealings Parish Council (Knights, Dee)	A Housing Needs Survey was carried out in 2014 which identified a need for 3 units although none have come forward. The Neighbourhood Plan sets out how a proposal would be assessed and requires it to be consulted on separately and subject to same design as other developments. The community is too small to support specialist housing and therefore a small scheme of 1-3 units is most likely. The question of commuted sums is unlikely to arise.	Guidance is provided on undertaking local housing needs assessments in Chapter 8 of the draft SPD.
Hopkins Homes Ltd (Pathfinder Development Consultants)	Where existing sufficient evidence exists there should not be a need for further surveys.	Guidance is provided on undertaking local housing needs assessments in Chapter 8 of the draft SPD. The guidance states that the data should be up to date when a planning application is submitted and this would be data that has been gathered in the last five years.
Park Properties (Pathfinder Development Consultants)	Where existing sufficient evidence exists there should not be a need for further surveys.	Guidance is provided on undertaking local housing needs assessments in Chapter 8 of the draft SPD. The guidance states that the data should be up to date when a planning application

		is submitted and this would be data that has been gathered in the last five years.
Wellington (Pathfinder Development Consultants)	Where existing sufficient evidence exists there should not be a need for further surveys.	Guidance is provided on undertaking local housing needs assessments in Chapter 8 of the draft SPD. The guidance states that the data should be up to date when a planning application is submitted and this would be data that has been gathered in the last five years.
Pigeon Investment Management (Pathfinder Development Consultants)	Where existing sufficient evidence exists there should not be a need for further surveys.	Guidance is provided on undertaking local housing needs assessments in Chapter 8 of the draft SPD. The guidance states that the data should be up to date when a planning application is submitted and this would be data that has been gathered in the last five years.
Woodbridge Town Council (Mussett, Gordon)	The SPD should include guidance on how frequently local housing needs surveys are undertaken.	The guidance in Chapter 8 of the draft SPD states that the data should be up to date when a planning application is submitted and this would be data that has been gathered in the last five years. However there would be no requirement from a planning point of view to undertake a survey at set periods of time as a survey would be done to inform an affordable housing proposal.
Kettleburgh Parish Council	There should be a way for small villages to protect themselves from one type of housing. There should not be over development of exception sites which would create a burden on services and infrastructure. There should be a mechanism that limits granting of exception sites where allocations have already been made.	Policy SCLP5.11 sets out that exception sites would be supported where the needs cannot be met through existing allocations. Policy SCLP5.11 also sets out the exception sites would be responding to an identified local need and the policy also includes a criterion relating to the location, scale and design of affordable housing retaining and enhancing the character and

		setting of a settlement. It is not therefore anticipated that numerous exception sites would come forward in one location.
Artisan PPS Ltd (Short, Leslie)	Clarity required as to which forms of affordable housing are eligible for social housing relief.	Chapter 11 of the draft SPD cross refers to the Council's Discretionary Social Housing Relief Policy which sets out which forms of affordable housing are eligible for relief.
Hopkins Homes Ltd (Pathfinder Development Consultants)	Welcome provision of advice on how the Discretionary Affordable Housing Relief for CIL will be provided.	Response noted.
Park Properties (Pathfinder Development Consultants)	Welcome provision of advice on how the Discretionary Affordable Housing Relief for CIL will be provided.	Response noted.
Wellington (Pathfinder Development Consultants)	Welcome provision of advice on how the Discretionary Affordable Housing Relief for CIL will be provided.	Response noted.
Pigeon Investment Management (Pathfinder Development Consultants)	Welcome provision of advice on how the Discretionary Affordable Housing Relief for CIL will be provided.	Response noted.
Great Bealings Parish Council (Knights, Dee)	What impact will the SPD have on made Neighbourhood Plans?	The SPD explains that the guidance in the SPD may also be relevant to the implementation of Neighbourhood Plan policies that relate to affordable housing.

Peninsula Villages Community Land Trust (Brown, Jenny)	The SPD could introduce the idea of ESC and CLTs working together in an integrated manner.	Whilst the way of working with CLTs sits largely outside the SPD as a planning document, reference has been included in the SPD to the role of Community Land Trusts.
Peninsula Villages Community Land Trust (Brown, Jenny)	Housing Associations and other providers should be encouraged to buy back ex Council houses when they become available	This is beyond the role of the SPD. The Council's Housing Development Strategy sets out that the Council may acquire existing dwellings where this would provide a value for money option and meet an identified need (see <a href="http://paperturn-view.com">Housing Development Strategy - Report - Page 13 (paperturn-view.com)</a> ).
Woodbridge Town Council (Mussett, Gordon)	The current economy is a barrier to raising entry level deposits and affects the financial viability of schemes thereby reducing the number of affordable units being built.	Chapter 9 of the draft SPD sets out that reductions in the amount of affordable housing being provided should only take place in exceptional circumstances and that this would need to be demonstrated to the Council's satisfaction through a viability assessment. Appendix G of the Suffolk Coastal Local Plan and Appendix 5 of the Waveney Local Plan set out the requirements for undertaking viability assessments.
Gladman Developments Ltd (John Fleming)	The SPD should cross reference the requirements of SCLP5.10 and WLP8.2 or subsequent policies. The Council should seek to secure the maximum level of affordable housing that would not adversely affect viability, in particular in lower value areas.	The SPD cannot predict requirements of future policies. Chapter 9 of the draft SPD sets out that reductions in the amount of affordable housing being provided should only take place in exceptional circumstances and that this would need to be demonstrated to the Council's satisfaction through a viability assessment. Appendix G of the Suffolk Coastal Local Plan and Appendix 5 of the Waveney Local Plan set out the requirements for undertaking viability assessments.

Hopkins Homes Ltd (Pathfinder Development Consultants)	Caution involving RPs too early as their investment strategies may change. Local circumstances may evolve between pre-app and delivery which can be particularly problematic on larger schemes and there should therefore be flexibility.	Chapter 4 of the draft SPD encourages early engagement with Registered Providers to reduce the risk of changes being made later on.
Park Properties (Pathfinder Development Consultants)	Caution involving RPs too early as their investment strategies may change. Local circumstances may evolve between pre-app and delivery which can be particularly problematic on larger schemes and there should therefore be flexibility.	Chapter 4 of the draft SPD encourages early engagement with Registered Providers to reduce the risk of changes being made later on.
Wellington (Pathfinder Development Consultants)	Caution involving RPs too early as their investment strategies may change. Local circumstances may evolve between pre-app and delivery which can be particularly problematic on larger schemes and there should therefore be flexibility.	Chapter 4 of the draft SPD encourages early engagement with Registered Providers to reduce the risk of changes being made later on.
Pigeon Investment Management (Pathfinder Development Consultants)	Caution involving RPs too early as their investment strategies may change. Local circumstances may evolve between pre-app and delivery which can be particularly problematic on larger schemes and there should therefore be flexibility.	Chapter 4 of the draft SPD encourages early engagement with Registered Providers to reduce the risk of changes being made later on.
Hopkins Homes Ltd (Pathfinder Development Consultants)	Maintenance of a regular delivery register of affordable housing should be covered.	This is not something that would be covered in an SPD

Park Properties (Pathfinder Development Consultants)	Maintenance of a regular delivery register of affordable housing should be covered.	This is not something that would be covered in an SPD
Wellington (Pathfinder Development Consultants)	Maintenance of a regular delivery register of affordable housing should be covered.	This is not something that would be covered in an SPD
Pigeon Investment Management (Pathfinder Development Consultants)	Maintenance of a regular delivery register of affordable housing should be covered.	This is not something that would be covered in an SPD
Hopkins Homes Ltd (Pathfinder Development Consultants)	SPD should be clear that affordable housing is not required on sites not classed as major development	Chapter 3 of the SPD sets out the thresholds above which affordable housing is required.
Park Properties (Pathfinder Development Consultants)	SPD should be clear that affordable housing is not required on sites not classed as major development	Chapter 3 of the SPD sets out the thresholds above which affordable housing is required.
Wellington (Pathfinder Development Consultants)	SPD should be clear that affordable housing is not required on sites not classed as major development	Chapter 3 of the SPD sets out the thresholds above which affordable housing is required.

Pigeon Investment Management (Pathfinder Development Consultants)	SPD should be clear that affordable housing is not required on sites not classed as major development	Chapter 3 of the SPD sets out the thresholds above which affordable housing is required.
Hopkins Homes Ltd (Pathfinder Development Consultants)	Policy level of affordable housing should not be required through S106 on schemes brought forward entirely as affordable housing by RPs as this would jeopardise Homes England funding.	Policy SCLP5.10 and Policy WLP8.2 are aimed at securing affordable housing as part of market housing developments.
Park Properties (Pathfinder Development Consultants)	Policy level of affordable housing should not be required through S106 on schemes brought forward entirely as affordable housing by RPs as this would jeopardise Homes England funding.	Policy SCLP5.10 and Policy WLP8.2 are aimed at securing affordable housing as part of market housing developments.
Wellington (Pathfinder Development Consultants)	Policy level of affordable housing should not be required through S106 on schemes brought forward entirely as affordable housing by RPs as this would jeopardise Homes England funding.	Policy SCLP5.10 and Policy WLP8.2 are aimed at securing affordable housing as part of market housing developments.
Pigeon Investment Management (Pathfinder Development Consultants)	Policy level of affordable housing should not be required through S106 on schemes brought forward entirely as affordable housing by RPs as this would jeopardise Homes England funding.	Policy SCLP5.10 and Policy WLP8.2 are aimed at securing affordable housing as part of market housing developments.
Hopkins Homes Ltd (Pathfinder	Monitoring and enforcing subsidy recycling is difficult. They are often not practical if relatively small receipts	Comment noted.

Development Consultants)	are received. This has been dealt with elsewhere through relationships between Councils and RPs.	
Park Properties (Pathfinder Development Consultants)	Monitoring and enforcing subsidy recycling is difficult. They are often not practical if relatively small receipts are received. This has been dealt with elsewhere through relationships between Councils and RPs.	Comment noted.
Wellington (Pathfinder Development Consultants)	Monitoring and enforcing subsidy recycling is difficult. They are often not practical if relatively small receipts are received. This has been dealt with elsewhere through relationships between Councils and RPs.	Comment noted.
Pigeon Investment Management (Pathfinder Development Consultants)	Monitoring and enforcing subsidy recycling is difficult. They are often not practical if relatively small receipts are received. This has been dealt with elsewhere through relationships between Councils and RPs.	Comment noted.
Reydon Parish Council (Jordan, Julie)	The innovative policies being proposed in the draft Southwold Neighbourhood Plan for community led affordable housing schemes should be considered for use across ESC	Such policies could only be introduced through a Local Plan or Neighbourhood Plan and not an SPD.
Southwold Town council (Jeans, Jessica)	The SPD should encourage and support flexibility in the allocations policy to enable CLH groups to achieve their goals, CLH viability studies, collaboration between a developer and a CLH where the CLH discharges the S106 obligation in return for land and other compensation. Attached a document on viability in community led	The draft Model Heads of Terms in Appendix 2 refers to the role of Community Led Housing groups in S106 affordable housing.

	housing which shows the different models. The draft Neighbourhood Plan policies are also attached.	
Bungay Town Council	Converting empty high street shops into homes.	Response noted however the Affordable Housing SPD focuses on providing guidance to support the implementation of Local Plan policies on affordable housing.
Inspired Villages (Ellen Pearce)	A Local Plan representation is attached which discusses specialist housing for older people and use classes (C2 and C3) and this should inform the preparation of the SPD.	The information submitted is noted. It has been determined by the courts that Class C2 can include accommodation in the form of dwellings and therefore the Affordable Housing SPD sets out that in these circumstances the policy requirements for affordable housing should be applied. The Local Plan policies do not distinguish between dwellings that are C2 or C3.

## Appendix 2 – Initial Consultation – Model Heads of Terms and Template Clauses

### Summary of matters raised through first virtual roundtable (8<sup>th</sup> December 2020)

#### Agenda topics:

- Planning Application stage – submission of information
- Registered Providers – engagement / timing
- Occupation of affordable housing
- Build standards
- Local connections
- Mortgagee in Possession clause
- Nomination agreements
- Shared equity and discounted sale
- Any other issues

The session was attended by developers, Registered Providers and legal representatives.

Summary of matter raised	How the matter has been addressed
General	
Provision of Model Heads of Terms and Template Clauses generally supported	Noted – these have been progressed and included in the Draft SPD
There should also be flexibility, including to avoid the need for deeds of variation.	Chapter 4 of the Draft SPD recognises that there will be instances where flexibility is needed, however the Model Heads of Terms and Template Clauses set out the Council's position.
Renegotiation can be needed if a Registered Provider changes or their circumstances change	The draft SPD encourages early engagement with Registered Providers with a view to reducing the need for changes later on.
An issue with the process is knowing who to speak to	The Council provides contact details on its website for the Section 106 team.
Role of Registered Providers	
The benefits of early engagement with Registered Providers were acknowledged however concern was also raised about tying an RP in too early as needs and funding may change. Early engagement rather than early agreement was considered more feasible.	The draft SPD encourages early engagement with Registered Providers. The draft Model Heads of Terms and Template Clauses also provide for circumstances whereby a contract with an RP may not be possible by the 40% trigger point, through the inclusion of 'unless otherwise agree in writing' (template covenant 3)
The NPPF seeks to avoid the use of pre-commencement conditions and requiring RPs	The draft Model Heads of Terms and Template Clauses sets a trigger of 40% occupation of

to have to be signed up pre-commencement can create barriers.	market dwellings by which point it is required that a contract is entered into with an RP unless otherwise agreed in writing (template covenant 3)
Registered Provider finances can change quickly and Registered Providers may not therefore be in a position to commit early on.	The draft Model Heads of Terms and Template Clauses sets a trigger of 40% occupation of market dwellings by which point it is required that a contract is entered into with an RP unless otherwise agreed in writing (template covenant 3)
Occupation of Affordable Housing	
It is best for clusters of affordable housing to be developed for financial reasons and also for Registered Providers from a maintenance point of view.	Whilst smaller clusters are preferred in terms of planning objectives, operational matters for Registered Providers are also acknowledged and Chapter 7 on Design refers to clusters being proportionate and that up to ten is generally preferred.
It was agreed that guidance on phasing is needed.	Phasing is covered in the draft Model Heads of Terms and Template Clauses.
Trigger points are specific to the site and it may not be appropriate to standardise this.	The draft Model Heads of Terms and Template Clauses provide for phasing of transfer of affordable housing where justification for this is provided.
Consideration should be given to health safety (i.e. residents living on a building site) in relation to triggers.	This is acknowledged, however it is expected that by setting out Model Heads of Terms developers will be aware of likely trigger points when planning the development.
Build standards	
Registered Providers commented that the main issue with build standards is the size of properties offered. Market units tend to have spare rooms which isn't the case for affordable housing.	Chapter 7 on design sets out that the size of affordable dwellings should be comparable to market dwellings but should also take into account the way in which affordable housing is occupied (for example that a two bedroom home should be able to accommodate four people).
It was noted that sub-standard units have been turned down.	Noted. Chapter 7 on design seeks to ensure that the design of affordable housing would be appropriate for Registered Providers and the SPD also encourages early engagement with Registered Providers with a view to ensuring that a Registered Provider will wish to take up the affordable properties.
It was stated that as well as sizing the internal layouts also need to be sensible to enable a Registered Provider to take the units on.	Guidance on the design of internal layouts is covered in Chapter 7 of the draft SPD.
Maintenance costs are also a consideration, for example flat roofs likely to be turned down.	The SPD encourages early engagement with Registered Providers with a view to ensuring

	that a Registered Provider will wish to take up the affordable properties.
Shared drives not an issue as long as the ownership and responsibility is clearly agreed.	Comment noted.
It was stated that blocks of flats with some affordable units distributed within do not work from a maintenance contract perspective.	This is noted however the Council would not wish to rule out mixed tenure blocks. Chapter 7 of the draft SPD therefore supports mixed tenure blocks however also notes that there may be circumstances where this is not feasible for operational reasons.
Concern was raised over service charges and maintenance costs which can impact on the affordability of a property and impact on whether they would be taken on by Registered Providers. All charges should be looked at in the round.	This would need to be considered alongside the design guidance contained in Chapter 7 which seeks to ensure that affordable housing is visually integrated into a development.
It was suggested that communal areas could be designed out to keep cost down.	This would need to be considered alongside the design guidance contained in Chapter 7 which seeks to ensure that affordable housing is visually integrated into a development.
It was stated that East Suffolk has few Registered Providers operating in it.	Comment noted.
Local Connections	
It was stated that the local connections cascade process should be clear in function and timescale.	A local connections cascade has been included in the draft Model Heads of Terms and Template Clauses and would be applied unless otherwise agreed.
Local connection policies can be affected by markets which change over time.	A local connections cascade has been included however the draft Model Heads of Terms provide for an alternative approach to be agreed.
It was suggested that the degree of housing need someone is in should be given greater weight than the locality of the property. Properties should not be left vacant because no one with a local connection can be found.	A local connections cascade has been included however the draft Model Heads of Terms provide for an alternative approach to be agreed.
It was suggested that timescales should begin from when a property is marketed not from when it is completed.	The local connections cascade in the draft Model Heads of Terms and Template Clauses in relation to affordable dwellings for sale refers to marketing, not completion.
Organising a sale can take a long time whereas renting a property to a tenant can take place relatively quickly.	The local connections cascade in the draft Model Heads of Terms and Template Clauses in relation to affordable dwellings for sale refers to marketing, not completion.
It was considered that there should be tenure specific nominations agreements and cascades.	Separate local connection cascades are set out for rental and purchase affordable housing in

	the draft Model Heads of Terms and Template Clauses.
It was stated that there needs to be agreement on when the trigger point should be within a build project for the Nominations Agreement to be signed.	The draft Model Heads of Terms and Template Clauses set out that the affordable housing shall not be occupied until the Registered Provider has entered into a Nomination Agreement with the Council.
It was stated that the Nominations Agreement and the nature of the local connections criteria need to be understood early on as these affect pricing for bids.	The Model Heads of Terms and Template Clauses set out the Council's position. The SPD encourages early engagement between developers and Registered Providers.
It was suggested that there should be a radius system used for sites close to the edge of East Suffolk.	For rental properties the local connections cascade refers to a distance from the site (in the second tier of the cascade).
Mortgagee in Possession clauses	
It was stated that a key issue is that lenders often 'change their goalposts'. The National Housing Federation version was mentioned as acceptable.	The Council anticipates a mortgagee protection clause being published by the Government as part of its template planning obligations associated with First Homes.
It was stated that the timescale for disposal is a comment reason for a deed of variation as most banks won't accept a period of more than 3 months.	The Council anticipates a mortgagee protection clause being published by the Government as part of its template planning obligations associated with First Homes.
Shared equity and discounted sale	
It was stated that East Suffolk Council's Section 106 agreements are often silent on allocation and eligibility of shared equity properties.	The Draft Model Heads of Terms and Template Clauses set out a local connections cascade that applies to ownership tenures.
There was concern that the Council may not have the resources to confirm eligibility for resale.	It is not expected that the Council would undertake the verification, however the Council is anticipating a prescribed procedure in relation to First Homes.
It was noted that different developers have different views on shared equity when compared with shared equity through help to buy or shared ownership. There should be flexibility between Shared Ownership, discount market and Shared Equity.	The needs for Shared Ownership are distinct from need for other affordable tenures as assessed by the Strategic Housing Market Assessment that has underpinned the Local Plan policies.

## Summary of matters raised through second virtual roundtable (9<sup>th</sup> September 2021)

Note – time was also provided for comments to be provided after the session, and these points are also incorporated below. Input was received from two organisations from the development sector.

Summary of matter raised	How the matter has been addressed
Welcome clarification on the tenure mix in light of the introduction of First Homes.	Chapter 3 of the Draft SPD sets out that the Council will expect the 25% First Homes to be secured in place of other discounted market tenures.
It was commented that CIL relief would need to be transferred to the RP.	Noted.
<b>Planning Application Stage</b>	
Flexibility is required for outline planning applications as the number of dwellings and the mix would be confirmed at Reserved Matters stage.	Reference has been included to percentages being appropriate for outline applications where numbers are not yet known.
<b>Preparation of a Section 106 agreement</b>	
(Para 3) It was stated that it is important that there is flexibility to enable the mix etc to be confirmed via the Affordable Housing Scheme.	The template definition for 'Affordable Housing Table' allows for 'unless otherwise agreed with the Council', which should ensure flexibility.
(Para 4) The identity of the Registered Provider should be confirmed rather than approved by the Council.	It can be a swift process for the Council to check the RP meets the definition. The Council maintains a list of RPs on its website and a cross reference to this has been included in the draft SPD. For clarity, the Council has stated that it is the name and registration number that is required.
(Para 4) Reference to any other information is considered vague and there is potential for delay by requiring information that is unknown.	If the appropriate information has been submitted it is less likely that any other information would be needed however the Council considers it important to retain this should there be a need for further information in any circumstances.
(Para 5) This was considered onerous as often contracts are only exchanged with RPs a few days before handover.	'Unless otherwise agreed in writing' has been included.
(Para 5) This would not apply to First Homes / Discounted market sale.	This has been clarified through reference to 'Where the affordable houses are to be transferred to a Registered Provider...'
(Para 7) Reference to 'large scheme' was not considered appropriate.	The paragraph refers to justification being needed for circumstances where alternative triggers are appropriate, as it is acknowledged this may not be limited to large sites.
(Para 7) 'Unless otherwise agreed' should be included to avoid the need for a deed of variation.	It is considered that in these cases a deed of variation is more appropriate, if there is going to be variation in the point at which affordable housing is provided.

(Para 11) A local connections cascade should not apply to strategic sites which meet a district wide need.	'Unless otherwise agreed' has been included which provides for circumstances where a local connections cascade is not appropriate.
(Para 14) Specific steps and timescales should be set out to ensure negotiations do not become protracted.	Further guidance on this is contained in Chapter 4 of the SPD.
(Para 18) 'Unless otherwise agreed' should be included as this could be problematic for an RP.	The draft Template Clauses set out that this would be ringfenced for five years for the provision of affordable housing in East Suffolk.
(Para 22) It is considered that payment of the contribution by first occupation is too onerous.	The draft Heads of Terms refers to this being received by 40% occupation.
Template definitions	
Affordable Housing - It was suggested that as the definition of affordable housing changes over time, reference should be made to the NPPF definitions.	Reference is made to Annex 2 of the NPPF.
Affordable Housing Scheme – there shouldn't be a need for the Council to approve the identity of a Registered Provider.	It can be a swift process for the Council to check the RP meets the definition. The Council maintains a list of RPs on its website and a cross reference to this has been included in the draft SPD. For clarity, the Council has stated in paragraph 4 that it is the name and registration number that is required.
Discount Market Sale Dwellings – certainty would be required as to the percentage of discount.	It would be for the developer to offer a larger discount – the Council would not require this.
First Homes - certainty would be required as to the percentage of discount.	This discount for First Homes is set as a minimum of 30% in the Planning Practice Guidance. The Council could not require a greater discount unless it had adopted this approach. This definition will be adjusted if necessary when template planning obligations are published by the Government.
Registered Provider – There should not be a need for the Council to approve most Registered Providers.	See response to comments on paragraph 4
Template Covenants	
Covenant 3 and 4 – This is considered to be too onerous	See response to paragraph 5 above - 'Unless otherwise agreed in writing' has been included in that section.
Covenant 13/15 – This introduces a further approval process and uncertainty	Further guidance is expected from the Government on First Homes which is also likely to inform shared equity and discounted market sale.
Covenant 22 – It would be unreasonable to reduce the asking price as this is increasing the discount to more than 20% or 30%.	This is taken from the Planning Practice Guidance on First Homes. Further guidance is expected from the Government on First Homes.