

Cabinet

15th March 2022

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor D Welsh

Director Approving Submission of the report:

Director of Streetscene and Regulatory Services

Ward(s) affected:

All

Title:

Affordable Housing Supplementary Planning Document - Adoption

Is this a key decision?

Yes – The proposals in the report will significantly affect residents and businesses in all wards of the city

Executive Summary:

This report seeks to adopt the Affordable Housing Supplementary Planning Document (SPD) following public consultation which was undertaken between 30th November 2021 and 18th January 2022.

SPDs add further detail to the policies in the development plan but cannot introduce new policy. SPDs provide additional guidance for development and are capable of being a material consideration when making decisions on planning applications.

Delivering sufficient affordable homes over the Plan period to 2031 is a key objective of the adopted Coventry Local Plan. The aim of this SPD is to facilitate the delivery of affordable homes as set out in the plan and in compliance with the most up to date national policy as set out in the National Planning Policy Framework.

The additional guidance provided within the SPD sets out the different types of affordable housing as defined by Government and provides the detail on how these should be delivered. This includes setting out the process in agreeing affordable housing delivery, affordability types and tenures, dwelling design, management structures and Section 106 Agreements for securing delivery.

Responses to the consultation have been analysed and taken account of when amending the SPD. The proposed final version is attached at Appendix 1 to the report and a summary of representations along with responses and proposed amendments can be seen at Appendix 2 to the report.

Once adopted, this SPD will replace the outdated Affordable Housing Guidance which was adopted in February 2006.

Recommendations:

Cabinet is recommended to:

- 1) Adopt the Affordable Housing Supplementary Planning Document (SPD).
- 2) Delegate to the Strategic Lead (Planning), following consultation with the Cabinet Member for Housing and Communities, any necessary further non-substantive (minor) changes to the document.

List of Appendices included:

Appendix 1 - Affordable housing Supplementary Planning Document.
Appendix 2 - Consultation: summary of representations and responses
Appendix 3 - Strategic Environmental Assessment Screening Report
Appendix 4 - Equalities Impact Assessment

Background papers:

None

Other useful documents:

Local Plan: adopted December 2017
National Planning Policy Framework July 2021

Has it been or will it be considered by Scrutiny?

No, however, the draft SPDs were considered by the Communities and Neighbourhoods Scrutiny Board (4) on 15th December 2021 as part of the consultation process.

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Affordable Housing Supplementary Planning Document

1. Context (or background)

- 1.1 The National Planning Policy Framework (NPPF) defines Supplementary Planning Documents (SPDs) as *'documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues.... Supplementary Planning Documents are capable of being a material consideration in planning decisions but are not part of the development plan'*.
- 1.2 Delivering sufficient affordable homes over the Plan period to 2031 is a key objective of the adopted Coventry Local Plan ('the development plan'). The aim of this SPD is to facilitate the delivery of affordable homes as set out in the plan and in compliance with the most up to date national policy as set out in the National Planning Policy Framework.
- 1.3 The additional guidance provided within the SPD sets out the different types of affordable housing as defined by Government and provides the detail on how these should be delivered. This includes setting out the process in agreeing affordable housing delivery, affordability types and tenures, dwelling design, management structures and Section 106 Agreements for securing delivery.
- 1.4 Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. This includes a minimum statutory public consultation period of four weeks: the Council's recently adopted Statement of Community Involvement however sets out a local standard that SPDs should be consulted on for six weeks. Because of the Christmas period consultation was undertaken over seven weeks between 30th November 2021 and 18th December 2022. Further detail is set out in section 3 of the report.
- 1.5 It is also a legal requirement, as set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations), to consider whether or not Strategic Environmental Assessment (SEA) of the SPD should be undertaken. The process for determining whether or not an SEA is required is called screening. This is to determine whether a plan will have significant environmental effects. The screening opinion undertaken is attached at Appendix 3 to the report. This concludes that no SEA is needed as the SPD elaborates on existing policy. This screening report must be consulted on so that three statutory bodies (Historic England, Natural England and the Environment Agency) can respond. The screening report was made publicly available for comment at the same time as the SPD was being consulted on.
- 1.6 Finally, an Equalities Impact Assessment (EIA) been undertaken, this is attached at Appendix 4 to the report and was publicly consulted on.
- 1.7 Responses have been analysed and the SPD amended accordingly. In line with the legislation, this Cabinet report will include a statement setting out the details of the consultation, a summary of the main issues raised and how they have been addressed. This is contained at section 3 and Appendix 2 to the report

2. Options considered and recommended proposal

- 2.1 Cabinet may wish for the Council to rely upon the current Local Plan policies along with the National Planning Policy Framework and the 2006 Supplementary Planning Guidance to deliver affordable housing. However, this would not honour the commitment of the adopted Local Plan to replace the outdated guidance and would mean the council

is primarily reliant upon Local Plan and national policy without any further clarification which also reflects the local context. Therefore, this option is not recommended

- 2.2 The recommendation is to adopt a new Affordable Housing SPD, as per Appendix 1 to the report, this approach is recommended in order to respond to the commitment in the adopted Local Plan to replace the outdated 2006 Supplementary Planning Guidance with an up- to-date Supplementary Planning Document on Affordable Housing. This will accurately reflect the adopted Local Plan and subsequent changes to national policy and ensure delivery in accordance with local need.

3 Results of consultation undertaken

- 3.1 Public consultation was undertaken between 30th November 2021 and 18th January 2022. The minimum statutory period for SPD consultations is four weeks, the council's Statement of Community Involvement recommends six weeks however in this instance a seven-week consultation period was undertaken to allow for the Christmas holidays.
- 3.2 The council made all consultation documentation available on its website and in hard copy at the Council House and all libraries. A notification email was sent to all consultees on the planning policy consultation database, statutory consultees and Duty to Co-operate bodies (as set out in the regulations) which provided background to the SPD consultation and explained where people could view the documents and the various ways in which they could provide comments. The council also used its social media platforms and local press to publicise the consultation.
- 3.3 Regulation 12 of the Local Planning Town and Country Planning (Local Planning) (England) Regulations 2012 states that, before a local planning authority can adopt an SPD it must first prepare a statement setting out the persons consulted during the preparation of the document, with a summary of the main issues raised and how they have been addressed in the SPD. This report addresses these requirements, and details of the comments submitted, the officer response and changes made to the SPD as a result can be viewed at Appendix 2 to the report.
- 3.4 The Communities and Neighbourhoods Scrutiny Board (4) considered the draft SPD and supporting documents at their meeting on 15 December 2021 (their minute 20/21 refers), as part of the consultation process. There was a discussion around the definition and provision of affordable housing, the importance of developer contributions and monitoring, ensuring a good mix of housing types and the need for flexibility in negotiating the delivery of appropriate housing. The Scrutiny Board agreed with the content of the draft SPDs in principle.
- 3.5 Alongside the SPD, the SEA screening opinion and Equality Impact Assessment were made available for public comment as set out in section 1 of this report. In terms of the SEA screening, the statutory consultation bodies Natural England and Historic England concurred with the council's view that Strategic Environmental Assessment is not required. The Environment Agency did not respond. The screening assessment at Appendix 3 to the report has been updated to reflect this conclusion. The Equality Impact Assessment at Appendix 4 to the report has been updated as a result of internal guidance although no external responses were received on the matter.

4 Timetable for implementing this decision

- 4.1 The SPD can be adopted immediately.

5 Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance

5.1 Financial implications

There are no financial implications associated with this report.

5.2 Legal implications

5.1 There are no direct implications as a result of this report. Regulations 11 to 16 of The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. The Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) also require the Council to consider whether or not a Strategic Environmental Assessment (SEA) of the SPD should be undertaken.

6 Other implications

6.1 How will this contribute to achievement of the Council's Plan?

Planning policy documents and planning applications help deliver the aims and objectives of the One Coventry Corporate Plan by determining the type and quantum of development needed, where this should be located, areas which should be protected, enhanced or improved and the infrastructure which should be provided. In line with the Corporate Plan, this document focuses upon supporting local communities by increasing the supply, choice and quality of housing, delivering a range of affordable housing types to meet the community's varied needs.

6.2 How is risk being managed?

There are no risks associated with this report.

6.3 What is the impact on the organisation?

No direct impact.

6.4 Equalities Impact Assessment / EIA

A full Equality and Impact Assessment (EIA) was undertaken as part of developing the Local Plan. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010). The Supplementary Planning Document elaborates on Local Plan policy and so a further EIA has been undertaken (Appendix 4 to the report)

6.5 Implications for (or impact on) climate change and the environment

There are no implications identified as this is an elaboration of Local Plan policy relating to the delivery of housing and does not introduce new policy.

6.6 Implications for partner organisations?

The Supplementary Planning Document will provide further detail to the adopted Local Plan policy which will assist those organisations involved in the delivery of affordable housing.

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Coventry City Council

Affordable Housing

Supplementary Planning Document (SPD)

March 2022

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APPENDICES

Appendix 1. Nationally Described Space Standards

Appendix 2. Affordable Housing Section 106 Wording Template

Executive Summary

This document is Coventry City Council's Affordable Housing Supplementary Planning Document, or the "Affordable Housing SPD" for short.

The purpose of this SPD is to give more detailed guidance on the Affordable Housing Policy H6 contained within the Coventry Local Plan 2017. The Policy requires that for sites which will develop 25 dwellings or more (or larger than 1 hectare), at least 25% of the total dwellings should be made available as affordable. This includes dwellings that are available for Social / Affordable Rent and also on an Intermediate tenure, with the mix made in accordance with national guidance.

By providing more detail around these policy requirements, it will help develop more affordable homes in the city by giving clear and understandable advice to people who want to build houses in Coventry. It explains what developers need to demonstrate to the Council to ensure it complies with Policy H6 of the Local Plan 2017.

This detail includes a more specific breakdown of affordable housing types on a locational basis, but also takes into account central Government requirements such as the building of affordable homes on an "Intermediate" basis, such as First Homes.

The document cannot establish new planning policy relating to building affordable homes in the city, but the Council wants this document to be used by builders of affordable homes to make it easier for them to be built. This will help increase the number of affordable homes built in the city, so that everyone in Coventry can access homes that are more affordable.

It also explains alternative scenarios where the provision of affordable housing is reduced or cannot be delivered at all as well as building and design requirements. It also attempts to simplify the Section 106 Agreement legal process by providing a wording and a template for developers to use. Through this, it is hoped that this SPD will enable more productive negotiations between the Council and applicants wishing to deliver homes in Coventry. This should help make planning applications faster and easier to decide.

1. Introduction

- 1.1 The Coventry Local Plan 2017 establishes the strategic objective to deliver sufficient affordable housing development in the city. It recognises the need to provide housing which is truly affordable for Coventry's residents and delivers on the aspirations and objectives of the Coventry City Council Housing and Homelessness Strategy 2014.
- 1.2 This Supplementary Planning Document (known thereafter as the 'SPD'), provides additional and enhanced detail on the strategic policies of the Coventry Local Plan 2017 which seek to deliver sufficient affordable housing to meet the identified need of the City. Specifically, this SPD will provide further supplementary guidance to Policy H6 Affordable Housing of the adopted Local Plan 2017.
- 1.3 It should be noted that although this SPD does not form part of the Development Plan of the Council, it is a material consideration that will be utilised to determine planning applications where affordable housing is a relevant issue. The Glossary at Annex 2 of the National Planning Policy Framework (2021), defines Supplementary planning documents as follows;

*“**Supplementary planning documents:** Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.”*

- 1.4 Therefore, applicants wishing to deliver residential development of any scale, should refer to this SPD to ensure that they meet requirements set out in policy of the Coventry Local Plan 2017.
- 1.5 The Council is conducting a period of consultation to ensure that interest parties, local residents and others may provide representations to the SPD consultation to help inform its preparation.
- 1.6 This consultation has been held under the provisions of the City Council's Statement of Community Involvement.
- 1.7 Delivering sufficient affordable homes over the Plan period to 2031 is a key objective of the Coventry Local Plan 2017 spatial strategy. The aim of this SPD is to facilitate the delivery of affordable homes and meet the needs of the city as recognised in 2015 Joint SHMA and the Affordable Housing Economic Viability Assessment. The additional guidance provided within this document should clarify particular requirement areas and streamline the process in agreeing affordable housing delivery; affordability types and tenures, dwelling design, management structures and Section 106 Agreements.
- 1.8 This SPD is designed to simplify the complex process of delivering affordable homes through the planning system. Whilst multiple parties are required to work together in realising this delivery, it is considered that this SPD will provide a rationalisation of this process and establish clarification of the policy requirements of the City Council. The utilisation of this SPD alongside early negotiations with the Council will speed-up the planning process and result in quicker permissions. This is to the advantage of all parties involved and demonstrates a positive approach to planning.

2. Policy Context

- 2.1 The Coventry Local Plan 2017 was prepared under previous iterations of the National Planning Policy Framework, but the provisions relating to affordable housing remain relevant in the context of the adopted Local Plan 2017.
- 2.2 The local planning policy position is established in Section 4 of the Coventry Local Plan 2017. Specifically, Policy H6 asserts the affordable housing delivery considerations and requirements for residential developments in the city.

National Planning Policy Framework

- 2.3 The National Planning Policy Framework 2021 (known hereafter as the ‘NPPF’) provides the overarching national planning policy basis for England and includes provisions for how Local Planning Authorities should achieve affordable residential development. Paragraphs 61-64 establish this;
- Ensure local policy reflects the housing needs of different groups within the community, including affordable housing requirements;
 - Identify the affordable housing type needed and delivered on-site, with off-site provision, or financial contribution, if appropriate justification can be demonstrated;
 - Emphasise the need to deliver affordable housing, in most circumstances, on major development sites;
 - Promote the redevelopment and re-use of brownfield land through reducing affordable housing contribution by a commensurate amount where vacant buildings are re-used.
- 2.4 Furthermore, the NPPF provides a definition of affordable housing at Annex 2. For the purposes of this SPD and to ensure consistency between it and national policy, the definition of affordable housing will be as follows as it is established at Annex 2;

*“**Affordable housing:** housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential workers); and which complies with one or more of the following definitions:*

- a. ***Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for an alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).*
- b. ***Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections.*

The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of the plan-preparation of decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

- c. **Discounted market sales housing:** *is that sold at a discount rate of at least 20% below local market value. Eligibility is determined in regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.*

- d. **Other affordable routes to home ownership:** *is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for an alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.”*

Non-statutory Regional Policy

- 2.5 The West Midlands Combined Authority (the 'WMCA') provides additional definitions in regard to affordable housing. Although the Combined Authority does not have statutory planning powers, it plays a significant role in realising funding streams for affordable housing delivery as well as releasing previously undeliverable sites for development.

- 2.6 The Combined Authority's definition of affordable housing goes beyond the statutory definition as referenced in the NPPF by stating that to be truly affordable, residents should not pay more than 35% of their income towards their monthly rent or mortgage. This establishes a greater discount of 15% when made against the definition referenced in the NPPF 2021, which asserts that a 20% discount from the prevailing rate as an affordable rate.

- 2.7 Whilst this definition (based on different intent and context) cannot be granted any planning weight and is not a material planning consideration, as a full member of the Combined Authority, Coventry City Council encourage applicants to consider provision against this definition. Particularly where the WMCA has facilitated delivery of affordable housing through funding and land-release strategies.

Local Planning Policy

- 2.8 The Coventry Local Plan 2017 provides the strategic housing requirement for the city over the Plan period from 2011 to 2031. This includes the need to deliver affordable housing alongside market development, to foster sustainable communities and that those residents which are eligible, can access good and truly affordable housing. This is in line with the Council's Housing and Homeless Strategy 2014.

Policy H6: Affordable Housing

1. New residential schemes of 25 dwellings or more (excluding student accommodation), or more than 1ha, will be expected to provide 25% of all dwellings as affordable homes.
2. Proposals within areas of existing high concentration (shown on Figure 4.1) should make provisions as follows:
 - a. 10% Social/Affordable Rental provision
 - b. 15% Intermediate Provision
3. Proposals within areas of existing medium concentration (shown on Figure 4.1) should make provisions as follows:
 - a. 12.5% Social/Affordable Rental provision
 - b. 12.5% Intermediate Provision
4. Proposals within areas of low concentration (shown on Figure 4.1) should make provisions as follows:
 - a. 15% Social/Affordable Rental provision
 - b. 10% Intermediate Provision
5. Where the specified level of affordable housing cannot be provided, including for reasons of viability, robust evidence must be presented to justify a reduced or alternative form of contribution.
6. Through appropriate design standards, new affordable housing units must be appropriately integrated within the development and with other affordable homes adjoining the site.
7. Through engagement with the Council, Registered Providers, and having regard to the recommendations of the SHMA, developers should ensure that affordable housing contributions comprise dwellings of the right size, type, affordability and tenure to meet local needs.

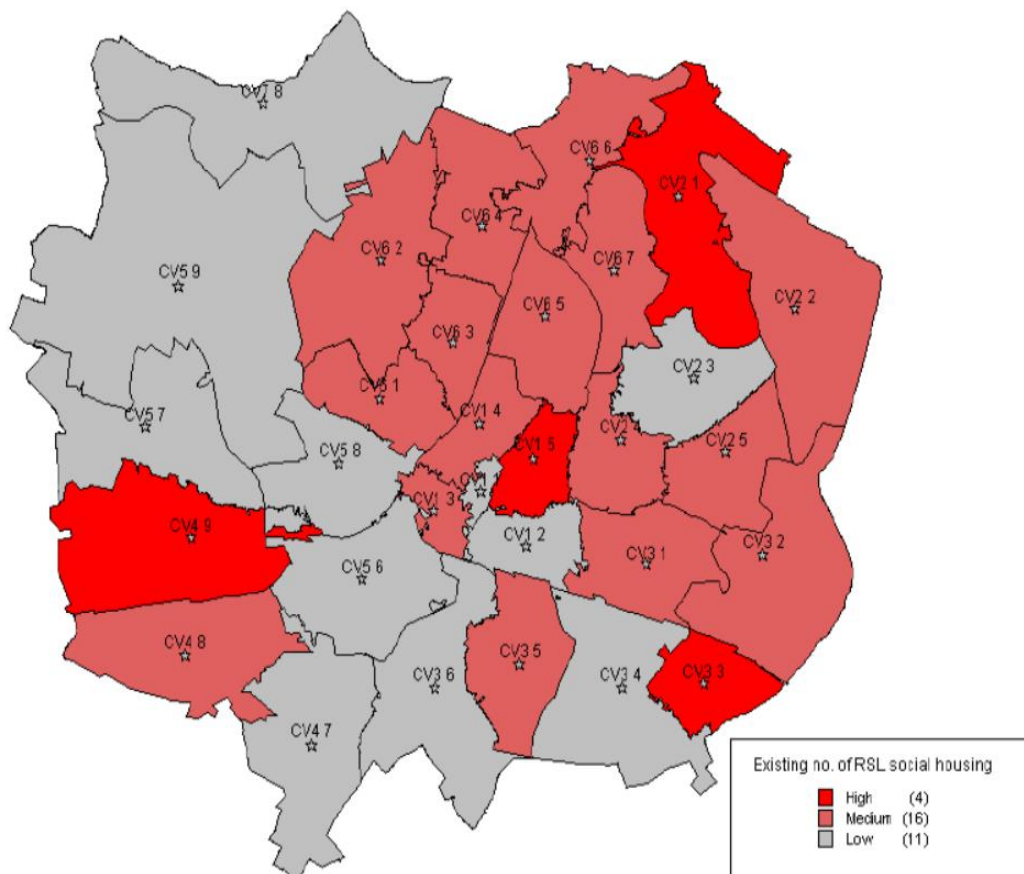
- 2.9 Set within the context of the objective housing need of the city in the region of 42,000 homes between 2011 and 2031, the Plan recognises a need to deliver some 12,000 affordable homes over this period. That equates to the delivery of around 600 affordable homes per annum. It should be noted that a proportion of this need will be delivered across the Warwickshire Housing Market Area through cross-boundary delivery and as such, the pro-rata affordable yearly quantum, which takes into account the established city capacity and cross-boundary apportionment, equates to 348 dwellings per year.
- 2.10 At the time of the Plan's adoption in 2017, it was established that during the first 4 years of the Plan period (2011 to April 1st 2015), approximately 1,150 affordable homes benefited from planning permission, were being constructed or had been delivered.
- 2.11 These identified numbers, taken alongside the strategic allocations, which will deliver a further 3,300 affordable homes, a shortfall of 1,150 affordable homes was identified.
- 2.12 The accompanying text to the affordable housing policy of the Plan identifies that this shortfall will be resolved through achieving affordable housing delivery from a variety of

sources. This includes the Private Rented Sector, windfall sites, redevelopment of existing housing stock, Registered Provider (“RP”) site delivery and re-use of empty homes.

- 2.13 It should be noted that a core element of this strategic policy is its spatial element. This is to ensure that different areas of the city can experience the maximum benefit of the policy and to ensure those residents in need of affordable accommodation, wherever their location in Coventry, can be housed in affordable homes. It is considered that this spatial approach will also ensure the development of cohesive and socially representative communities in all parts of the city.
- 2.14 Delivery of affordable housing will be actively monitored by the Council and represented through the publication of yearly Authority Monitoring Reports. This ongoing monitoring will identify levels of affordable housing delivery against the requirement established in the adopted Coventry Local Plan 2017, which is in the region of 348 dwellings per annum.
- 2.15 This SPD will help to facilitate enhanced delivery of affordable housing in the City, thereby contributing towards meeting the identified needs of the Local Plan 2017.

3. Affordable Housing – Site Provision

- 3.1 In order for the city to meet its identified affordable housing needs, it is the Council's objective to deliver affordable housing on residential schemes consisting of 25 dwellings or more, or where sites are larger than 1ha. On these sites, it is expected that at least 25% of the gross number of dwellings to be offered on site will be on an affordable basis.
- 3.2 It is the Council's view that the delivery of affordable dwellings on development sites is the most realistic way of achieving development of affordable homes within cohesive and integrated communities.
- 3.3 To ensure the delivery of homes that are affordable for members of every community within Coventry, the city's affordable housing policy also responds to spatial considerations that reflect the existing housing stock in areas of the city. This is to avoid over-concentration of particular tenures of affordable housing to secure diverse communities and also to provide homes in areas of the city where the market cannot.
- 3.4 The diagram below is part of policy H6 in the adopted Local Plan 2017, and demonstrates the concentration of social housing¹ across Coventry.



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- 3.5 The figure demonstrates the concentration of social housing that is managed by a Registered Provider within the CV-postcodes of the city. As the figure shows, stronger

¹ In this context, social housing is defined as affordable housing made available through discounted rate via a Registered Provider as Social or Affordable rent.

shades of red demonstrate higher concentrations of social housing within corresponding CV postcodes.

- 3.6 It is the objective of Policy H6 to promote varying tenure mixes in the city to ensure that residential proposals more appropriately reflect their locations in Coventry. For example, Policy H6 requires an affordable tenure split of 10% Social/Affordable Rent and 15% Intermediate Provision in areas with existing high concentrations of social housing. This is to both ensure that there is no over-concentration of social rent, but also to promote affordable home ownership in areas where there is a shortfall of opportunity to get on the housing ladder.
- 3.7 In areas of medium social housing concentration, the tenure is split evenly to maintain a more equal mix of housing types.
- 3.8 It is considered that those postcode areas of the city with low social housing concentration, housing affordability is of a greater issue given the higher cost of housing. As such, the Policy attempts to resolve this by promoting a greater proportion of Social/Affordable Rent tenure mix of 15% and a 10% Intermediate Provision.
- 3.9 This spatial element of Policy H6 Affordable Housing provides a framework for residential development proposals in the city. Whilst it provides a basis in how developers and applicants should approach on-site affordable housing provision; it is expected that proposals should reflect the requirements and need of the city at the time of the application's submission. This should take into account the strategic obligations as explained in the policy, as well as other material considerations such as evidence base documentation, the National Planning Policy Framework and Planning Policy Guidance.

4. Affordable Housing – Tenure Mix

- 4.1 Policy H6 establishes the strategic requirements of the Council for developments to deliver at least 25% affordable housing on sites of 25 dwellings or greater. This includes a tenure split that corresponds with spatial considerations that respond to local circumstances and existing housing mix.
- 4.2 In accordance with the National Planning Policy Framework, Coventry City Council's policy requires a tenure split between Social/Affordable Rent dwellings and Intermediate Tenure provisions. These are provided on the basis of rental occupation from a Registered Provider, or an Intermediate product which provides an affordable route to home ownership.
- 4.3 A summary of tenure types and how they are to be split depending on locational factors, is provided below.

Social/Affordable Rent Provision		Tenure Mix Requirement
Social Rent/Affordable Rent	<p>Social Rent is affordable housing let out at cost calculated against the relative value of the property against median local income and the size of the property. These are usually provided by Registered Providers or local government and are usually between 50% to 60% below market rents on the basis of the formula calculation against their relative market value.</p> <p>Affordable Rent is no more than 80% of market rent and includes the service charge, if applicable.</p> <p>In both cases, it is expected that the tenures will be offered in perpetuity to eligible households or the subsidy recycled through an alternative product².</p>	<p>10% - High Concentration Areas</p> <p>12.5% - Medium Concentration Areas</p> <p>15% - Low Concentration Areas</p>
Affordable Private Rent (Built to Rent/PRS)	Affordable rental homes made available at least 20% discount on market rate. Products made available directly by developer, with ongoing management and operations maintained by the developer. Perpetuity secured by legal agreement.	
Intermediate Provision		
General routes to affordable ownership	A variety of products, including Shared Ownership and equity loans. These are offered via Registered Provider regime.	<p>15% - High Concentration Areas</p> <p>12.5% - Medium Concentration Areas</p>
Discounted marketed sales	Product provided by developer directly with discount applied at point of sale. Similar arrangement as to Affordable Private Rent	10% - Low Concentration Areas

²²² MHCLG Policy statement on rents for social housing;
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/781746/Policy_Statement.pdf

First Homes 30% discount in perpetuity	Discount applied to sales available on the market to eligible first-time purchasers – to a maximum property value of £250,000 and maximum household income of £80,000pa	
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- 4.4 A minimum provision of affordable routes to home ownership are established in the National Planning Policy Framework of at least 10%³. This accords with the minimum requirement in Policy H6 of the Local Plan 2017, ie a minimum requirement of 10% intermediate provision on sites in areas with a high concentration of existing socially rented properties.
- 4.5 First Homes is an intermediate affordable product introduced in May 2021 as an additional option for buyers to enter the home ownership market on a more affordable basis. These homes are made available on a 30% discount from the local market rate in perpetuity via a land charge on the title deed secured through a Section 106 Agreement. This also ensures that the discount remains in perpetuity. Guidance stipulates that 25% of all affordable home provision on any given site must be First Homes and that this must either contribute to, or make up, the 10% of all homes on a site that are available on an affordable ownership basis.
- 4.6 Coventry City Council will seek to maintain the affordable rent (social rent) provision as stipulated in Policy H6 and will accept an intermediate mix that establishes 25% of overall affordable provision as First Homes. This should also ensure that other intermediate products remain available so that opportunity of choice is maintained.
- 4.7 Below is a worked example demonstrating the practical numerical split by unit proportion. It utilises a 100-unit example between the areas of high concentrations of existing social housing and low concentration as per Policy H6:

	Low Social Housing Concentration		High Social Housing Concentration	
	Social/Affordable Rent	Intermediate	Social/Affordable Rent	Intermediate
	15%	10%	10%	15%
Units	15	10	10	15

- 4.8 The total of 25 affordable units are achieved in both worked examples. With 25% First Homes requirement applied to the gross figure, 6.25 units can be delivered, allowing some flexibility in the delivery of other intermediate products in either worked example. As per the NPPF and PPG, the First Homes provision can contribute towards the

³ Paragraph 65 in the National Planning Policy Framework outlines exemptions to this 10% requirement. This is where the site or proposed development:

- a) provides solely for Build to Rent homes;
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
- c) is proposed to be developed by people who wish to build or commission their own homes; or
- d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.

overall 10% requirement for homes available as affordable ownership, or make up this

5. Dwelling Design, Typology and Locational Requirements

5.1 Policy H3 (Part 3) of the Coventry Local Plan 2017 asserts the need to achieve sustainable development through appropriate design of housing. This is applicable to both market and affordable housing, which ensures appropriate residential amenity and quality of living, no matter the type or tenure of home.

5.2 This SPD is limited as to the requirements it can place on the development of new affordable housing; however, it is reiterated that the design of affordable housing units must be demonstrably sustainable and exhibit the highest levels of residential amenity. This should include consideration of the following:

- Internal layout and dimensions;
- Access to green and outside space;
- Responsiveness to immediate surroundings;
- Connectivity; and
- Resilience to environmental influences (such as air quality, land contamination and climate change).

5.3 By duly considering these principles, development should achieve affordable housing that provides a high standard of living and residential amenity. This level of consideration should be applied to both market and affordable housing that is delivered in the city ensuring that there is no material difference between dwelling tenure types. This to ensure socially cohesive and sustainably mixed communities.

5.4 Historically, a larger proportion of one- and two-bedroom dwellings has been developed for affordable housing. This reflected the changing demographic of the city, with increasing generation of single-person or smaller-family households.

5.5 The Strategic Housing Market Assessment 2015 is a significant input of Local Plan 2017 Policy H6 Affordable Housing, which indicated the demands for a range of housing sizes, types and tenures in Coventry and its wider housing market area. In the first instance, the assessment established that there was a demand for 2 and 3 bedroomed affordable homes, and this has been the basis for Coventry City Council's objective in seeking the delivery of affordable housing in the city. The breakdown of the housing demand and requirements established in the SHMA is provided below:

SHMA 2015 Housing Mix Need

Market	1-bed	2-bed	3-bed	4-bed
	5-10%	25-30%	40-45%	20-25%

Affordable	1-bed	2-bed	3-bed	4-bed
	20-25%	30-35%	25-30%	15-20%

5.6 However, as Policies H4 and H6 state, to ensure that the evolving needs of the city can be met, this requirement has some degree of flexibility. The breakdown of needs provided by the SHMA should be the starting point for any discussion with the Council as to the delivery of an appropriate mix of affordable housing.

- 5.7 Information provided by Registered Providers as well as data from Coventry City Council Housing indicates a rising need for family sized housing, which includes 2, 3 and 4-bedroomed homes. This reflects the changing social needs of the city and affordability pressures experienced within Coventry.
- 5.8 It is the objective of the City Council to relieve the affordable housing pressures that the city is experiencing. The significant number of family households on the Housing Register indicates a deficit in the availability of affordable family homes in the city.
- 5.9 It is expected that the delivery of on-site affordable housing will reflect the housing types that are required to meet the affordable housing needs of the city and as such, the Council expects an affordable housing mix in accordance with the figures set out below. These utilise the need identified in the 2015 SHMA, but maximise this mix to meet the demand arising from the increasing numbers of family-sized households on the city's Housing Register.

Affordable	1-bed	2-bed	3-bed	4-bed
	20%	30%	30%	20%

- 5.10 Part 7 of Policy H6 establishes how affordable housing size and typology may be identified through dialogue with various interested parties to achieve the most appropriate and affordable housing type. This may vary spatially, as well as over time and between particular registered providers.
- 5.11 The City Council will actively seek the delivery of affordable housing that meets high of living standards. As such, the Council promotes the use, and reference of, the Nationally Described Space Standards as an initial framework in achieving affordable homes with satisfactory internal living space. Through active dialogue with the Council and registered providers, it is considered that this can be realistically achieved.
- 5.12 The delivery of affordable housing, where units are offered up to a Registered Provider, should take into consideration these standards but also the management regimen that will minimise costs and so, service charges payable.
- 5.13 The provision of high-quality design and space standards should also form part of a wider, holistic approach to affordable residential development. This will include consideration of access to outside, private amenity space as well as carefully considered development layouts.
- 5.14 Part 6 of Policy H6 outlines the general requirements of the Council for the integration of affordable homes within a residential development. It is envisaged that affordable homes, of any tenure, should be provided within residential development in appropriate locations that promote this integration. This will be informed through the evolution of design proposals, with commensurate inputs from the Council and affordable housing providers. Realistic management practices will form part of this process to minimise costs and retain affordability in perpetuity.
- 5.15 Within flatted developments, communal facilities provided as part of any proposal should be accessible by all residents. This ensures that affordable housing residents are not indirectly discriminated against through the final built design of any development

and maintains social integration and cohesiveness.



Example of Affordable Housing at Stretton Avenue, Coventry – Image courtesy of Citizen

Co-living proposals and build to rent

- 5.16 Coventry City Council recognise the ongoing evolution and diversification of the national housing market which has resulted in the emergence of new housing typologies to cater for demands of innovative forms of housing.
- 5.17 Build to rent properties are developed for the sole purpose of being rented rather than for sale. Typically, build to rent properties are contained within purpose built new-build blocks of apartments, with additional facilities and services often provided within the development. Build to rent is observed to provide more certainty to tenants by providing long-term leases.
- 5.18 Co-living is recognised as a form of housing to bridge the gap between highly managed student accommodation and unregulated house-sharing for younger people and those seeking alternative, niche accommodation types. It is a housing product that is regarded as more affordable, but also offers a lifestyle that is a communal and collaborative that also maintains a strong sense of independence for individual residents.

*

- 5.19 The City Council is keen to ensure that new housing types such as co-living and build to rent can be realised and delivered in the city which can contribute towards meeting the housing needs of the city, but also the demands of the market arising from various demographic groups of the community
- 5.20 National Planning Policy confirms that affordable housing within build to rent development should be provided in the form of affordable private rent. The affordable private rent and market rent units should be managed in conjunction by a single build to rent landlord. In line with National planning practice guidance, affordable rent provided in build to rent schemes to be made available at least 20% discount on market rent. Planning Practice Guidance states that other routes can be used to meet this affordable housing requirement such as a commuted payment and/or other forms of affordable housing as defined in the National Planning Policy Framework glossary. Such payments can be accepted if an agreement is reached between the developer and Local Authority and would need to include discussions and agreement of the clawback arrangements in the instance of the BtR development being sold on.
- 5.21 It is considered that co-living developments will not be suitable to provide on-site affordable housing units given the high level of management required, the size standards of individual units and the extent of shared and communal facilities. Management of such sites therefore is prohibitive in providing on-site affordable housing.
- 5.22 However, the Council will seek an off-site financial contribution in-lieu of on-site physical provision of affordable housing. This financial payment, in the form of a commuted sum, will be calculated utilising the formula referenced in Part 7 of this Supplementary Planning Document.

Advanced Methods of Construction

- 5.23 The City Council recognises that advanced methods of construction ('AMC') can provide a cheaper and more efficient means of achieving affordable housing products. This can reduce issues around viability and assist in delivering affordable housing in contexts which may prohibit more traditional methods of construction.
- 5.24 Furthermore, it is considered that advanced methods are also more likely to achieve higher level of energy efficient and so reduce energy costs for residents, whilst also contributing towards a net zero carbon future.
- 5.25 Although examples of AMC affordable housing are limited in Coventry, there are instances where advanced methods of construction have delivered housing of high and sustainable quality. Citizen Housing have delivered modular homes, a form of AMC, in Coventry, an image of which can be seen below.



Modular housing delivered at Littlethorpe, Coventry by Citizen Housing (image courtesy of Citizen)

5.26 Affordable housing products are also being delivered via AMC within the wider West Midlands metropolitan area. Birmingham Municipal Housing Trust have initiated a programme in delivering affordable homes utilising modular methods that achieve a high level of sustainability and cost effectiveness that delivers homes of good quality, quickly.



Modular affordable home delivered in Birmingham – image courtesy of Birmingham Municipal Housing Trust

5.27 Coventry City Council will encourage proposals to deliver affordable homes via Advanced Methods of Construction, particularly in cases where it can overcome viability issues and contribute towards achieving high performing, energy-efficient homes.

6. Viability

6.1 The Council recognises that there may be circumstances that the provision of on-site affordable housing line with the requirements of Policy H6 will influence the viability of a development. This may be due to a variety of reasons and the Council stresses the need for applicants/developers to engage with the Council at the earliest opportunity if viability is recognised as a possible issue.

6.2 Policy H6 of the Local Plan 2017 establishes the provisions in regard to approaching viability at Part 5:

“5. Where the specified level of affordable housing cannot be provided, including for reasons of viability, robust evidence must be presented to justify a reduced or alternative form of contribution.”

6.3 Any application proposal which fails to meet the requirements of on-site affordable housing as maintained in Policy H6 will need to submit a viability assessment. This assessment should consider the following variables:

- Market evidence
- Comparable pricing
- Housing provider arrangements
- Developmental costing

6.4 The assessment should also consider the adjustment of value assumptions and/or profit margins to demonstrate how a scheme could be made viable, whilst maintaining compliance with the provisions of Policy H6.

6.5 If the submitted viability assessment demonstrates that issues exist, the Council may consider various options in the amending of affordable housing provision, this may include inter alia

- Reconfiguration of tenure mix;
- reduction in intermediate tenure levels (whilst balancing statutory requirements, i.e. First Homes provision);
- Commuted sums.

6.6 However, these will be considered on a case by case basis, dependent on the conclusions of the applicant's viability assessment and the needs of the City at that time.

6.7 The Council will not accept reduced provision of affordable housing on grounds of viability without appropriate demonstration of circumstances and will seek to maximise delivery of affordable housing in all cases. Receipt of alternative contribution may be accepted where other avenues have been exhausted.

6.8 The District Valuer, or an independent assessor engaged at the cost of the applicant, may also be employed to assist in engaging with the viability assessment to maximise the realistic delivery of affordable housing.

6.9 The price paid for land cannot be utilised as a consideration within any viability assessment. The same assessment cannot be used to nullify the requirements of Policy H6 nor determine the delivery of affordable housing on-site, or off-site.

6.10 Matters of viability will be entertained by the Council on the merits of individual applications, on a site by site basis. However, where proposals include the redevelopment of vacant buildings for residential use, the Council will consider reduction in affordable housing provision on the basis outlined in Paragraph 64 of the National Planning Policy Framework (2021);

“[...] where vacant buildings are being reused or redeveloped, an affordable housing contribution due should be reduced by a proportionate amount²⁸.”

6.11 This reduction of provision on the basis of redevelopment of brownfield land is also known as Vacant Building Credit as initially implemented by Ministerial Statement November 2014⁴. It is intended that by reducing affordable housing provision on vacant brownfield sites, it will encourage re-use of previously developed land over that on greenfield sites, in line with the objectives of both national and local policy.

6.12 Coventry City Council will consider reduced affordable housing provision on redeveloped brownfield sites where developers are able to demonstrate vacancy of more than 12 months. This is not applicable to buildings that have been abandoned. Such matters will be considered on a case by case basis in line with the requirements of the adopted Local Plan and with national planning practice guidance on the application of Vacant Building Credit.

6.13 The calculation in the reduction of affordable housing provision is linked to the existing gross internal floor space of the vacant building to be brought into lawful residential use or demolished to facilitate redevelopment. A value-credit, equivalent to this floorspace quantum, will be applied to the prevailing affordable housing provision required in Policy H6 to calculate the reduction in affordable housing provision provided on the redeveloped site.

6.14 In practice, the formula to calculate this credit would be as follows:

$$(A - B / A) * C = D$$

A = Proposed residential floor space to be delivered

B = Existing floor space of the existing building(s)

C = Affordable Housing Requirement of Policy H6 (25%)

D = The Reduced Delivered Affordable Housing Requirement

⁴ <https://publications.parliament.uk/pa/cm201415/cmhansrd/cm141128/wmstext/141128m0001.htm>

7. Alternative Contributions

Alternative Contribution through an Alternative Location

- 7.1 In the first instance where a reduced on-site provision is not possible to overcome demonstrable viability issues, the Council may consider alternative options as a contribution towards the provision of affordable accommodation in the City.
- 7.2 The Council expects there to be an identification of suitable sites within a reasonable distance of the development site to accommodate affordable housing and is also referred to as “off-site” provision. This off-site delivery via an alternative site however must in a location with the same, or greater need, for affordable housing as the original development site. This is to ensure that delivery of affordable housing can adequately meet the needs of the City’s communities.
- 7.3 Delivery of affordable housing on an alternative site should be of the same number and cost of delivery of affordable housing on the development site. Furthermore, the mix must be in accordance with the requirements of Policy H6, if market housing is to be delivered alongside on the alternative site, to ensure the realisation of healthy and mixed communities.
- 7.4 The alternative site must benefit from the same advantages and access to amenities and services for potential occupants as the original development site. Applicants may be required to demonstrate consideration of other potential alternative sites and that they have broadly similar characteristics and sustainability credentials.
- 7.5 The Council may accept purchase of housing units in the City by the applicant to be made available on an Affordable/Social Rent basis. This should replace any on-site affordable housing provision, where an alternative site is not achievable. The purchase of units as an alternative option should be equal to, in number and cost, as the delivery of on-site affordable housing. This is to ensure that there is no material difference, or loss between on-site delivery and the alternative options considered.
- 7.6 Consideration of alternative locations to provide affordable housing in replacement of on-site delivery, will on a site by site and proposal by proposal basis. It is recognised that a “one size fits all” approach is not appropriate and would not reflect the needs of the City at that particular time. The consideration will be negotiated between representatives of the Council and the applicants.
- 7.7 Furthermore, it is recognised that the delivery of off-site affordable housing provision may result in a material benefit to the developer. This is because the original development site, will deliver a mix of 100% market dwellings. As such, the Council will seek an increased proportion of affordable units on an alternative site as off-site provision, to off-set the resultant increase in market dwellings on the original development site. This will be equal to an additional 25%. A worked example is shown below for clarity:

Worked proposal example of 100 dwellings for on-site and off-site affordable housing provision			
	Market Dwelling	Affordable Housing Requirement	Total Dwellings
1. On-site provision	75 (on-site)	25 (on-site)	100
2. Off-site provision	100 (on-site)	31 (off-site)	131

- 7.8 The examples in the table above demonstrate how the Council will seek an enhanced provision of affordable housing where it has been agreed with the Council that on-site delivery is not viable.
- 7.9 Example 1 in the table establishes a development of 100 dwellings that is compliant with the provisions of Policy H6, a split between 75 market dwellings and 25 affordable units. This reflects the 25% affordable housing requirement of Policy H6.
- 7.10 Example 2 demonstrates the arrangement where no affordable housing is delivered on-site, but rather delivered through an alternative mechanism off-site.
- 7.11 As can be seen, the Council will seek an increased off-site provision to counterbalance the resulting increase of the market housing numbers that would be achieved on-site. This will be through 25% uplift on the original 25% proportion of affordable housing that is required at Policy H6:
- Total market dwellings delivered on-site: 100
 - 25% proportion of total on-site market units as affordable housing requirement: 25
 - Implementing the additional 25% uplift to the affordable housing figure: 6.25
 - Total off-site affordable provision: 31 (rounded to nearest unit)

Alternative Contribution as a Commuted Sum

- 7.12 In the case where a suitable, alternative location to deliver affordable housing cannot be identified, the Council will consider alternative contribution by way of a commuted sum paid to the Council. This will be on the basis where alternative delivery opportunities have been clearly and demonstrably exhausted.
- 7.13 Where the Council accepts a submitted viability assessment which demonstrates that reduced on-site provision of affordable housing as an option to achieve a deliverable scheme, and a suitable alternative location cannot be achieved, a commuted sum may be considered.
- 7.14 This alternative contribution in most cases will take the form of a financial payment to Coventry City Council secured via a Section 106 Agreement. This payment will be

equal in amount to the costs of on-site affordable housing provision and will be utilised by the Council to achieve affordable housing through different means in the City.

- 7.15 Similarly, to off-site physical delivery, the receipt of commuted sums should reflect the material benefit to the developer of not providing any on-site affordable. The commuted sum paid to the Council should reflect this difference and, therefore, it should not be just the net worth of the delivery of on-site affordable units, but should reflect the increased proportion of market dwellings delivered as result of the agreed alternative contribution. This will take into account the viability assessment and will be agreed through detailed arrangements within a Section 106 Agreement.
- 7.16 The Council will retain the commuted sums on deposit for a period of up to 5 years and if the sum is not used, the amounts will be repaid to the applicant, inclusive of interest. This is implemented in the same process as all other financial Section 106 planning obligations.
- 7.17 The reason for seeking an alternative contribution is to ensure that any development that would otherwise be required to provide affordable housing under Policy H6 fairly contributes towards the provision of affordable housing in the City, irrespective of viability status. This ensures that the needs of the city can be met and that all citizens of Coventry are able to access truly affordable homes.
- 7.18 It is the objective of the Council that through commuted sums, development coming forward in Coventry, in cases of poor viability, will maintain delivery of affordable housing to meet the needs of the City.
- 7.19 In circumstances where management arrangements cannot be agreed with a Registered Provider for on-site affordable housing, particularly on affordable products managed by providers, a commuted sum may be accepted as an alternative. However, this will only be considered once the Council has also had the opportunity to consider concluding an agreement with the developer for the units themselves. In all instances, the Council will insist on strong and demonstrable evidence that an agreement has not been reached between the applicant and a registered provider. This can be in any form of evidence but should be independently verifiable.
- 7.20 In some cases, alternative disposal of affordable housing may be considered on a case by case basis.
- 7.21 The formula for calculating the commuted sum is;

$$A - B = C$$

Where:

A is the Open Market Value of the affordable unit not being delivered on-site. This value must be demonstrated by the developer via relevant, recent local examples supported by an independent valuation from a RICS accredited professional

B is the value that a Registered Provider would purchase the unit for, on the basis of it being an affordable unit. The developer should demonstrate this value with written evidence from at least two recognised RPs. If this is not available, the Council will take an average of recent RP transactions of similar units.

C is the commuted sum as it is the difference between A and B, and is considered the cost of developing that affordable unit elsewhere.

It is noted that an alternative calculation is provided within the Local Plan for use in the above scenario, and it remains open for applicants to use either approach. The use of Residual Land Value to determine the commuted sum will require the applicant to robustly demonstrate the accuracy of the RLV calculations, and may be subject to independent analysis, following the same process as a Viability Report, including the reasonable cost of such independent analysis being passed to the applicant.

8. Management, Affordability and Perpetuity

Registered Providers

- 8.1 Affordable homes available for Social or Affordable Rent and Shared Ownership (as part of an intermediate product) must be offered up to a Registered Provider (previously known as a Registered Social Landlord) to manage and make properties available at a discounted rate. Coventry City Council does not manage or own any affordable homes and, as such, these products must be offered up to a Registered Provider through the legal framework of a Section 106 Agreement.
- 8.2 Coventry City Council have a preferred list of Registered Providers. These Providers are organisations that we are well established in the City and have a strong relationship with the Council in providing affordable homes in the city.
- 8.3 These preferred Registered Providers are as follows:
- **Citizen Housing**
 - **Midland Heart**
 - **Orbit**
 - **Stonewater**
 - **Optivo**
 - **Clarion**
 - **Platform**
- 8.4 If for any reason an applicant/developer wishes to offer their affordable housing provision to a Provider not referenced on the list above, evidence and details of this provider will need to be made available. It will need to be shown whether the provision of affordable housing is deliverable with an alternative Registered Provider. It is at the Council's discretion to accept an alternative provider and the preference is to work with a listed Provider.

Community-Led Affordable Housing Delivery

- 8.5 It is recognised that where management constraints exist that prevent Registered Providers from entering into management regime of Affordable/Social Rent on a residential development site, options need to be considered to ensure that on-site provision can be delivered and maintained.
- 8.6 Community-led affordable housing may provide an alternative option in ensuring the delivery of physical affordable homes on a residential site.

8.7 Coventry City Council will work with community groups to deliver 100% affordable housing schemes and as alternative organisations to act as managing bodies for on-site Affordable/Private Rented or shared-ownership properties. Furthermore, the same community-led organisations will be encouraged to offer housing units on an intermediate basis, across a variety of tenure types, including discounted properties at point of sale.

Other Affordable Products

8.8 Availability and management arrangements for other affordable housing types vary according to their tenure.

8.9 It is considered that the provision of affordable, private rented accommodation will be retained and managed by the developer (also known as Built to Rent or Private Rented Sector). Agreements are made between tenants and the managing-developer directly on a discounted basis to ensure affordability in perpetuity.

8.10 The availability of intermediate products, including shared ownership, equity loans and discounted market sale will be directly via the developer and/or housebuilder. However, it is expected that the basis of this intermediate provision will reflect particular arrangements of the product and the developers.

8.11 It is considered that the new developments, which will include affordable housing provision on-site, will also offer an appropriate number of First Homes for those eligible to benefit from discounts provides through the First Homes scheme.

8.12 The Council also considers the delivery of self-build homes can assist in addressing the affordable housing needs of the city. There may be instances where such products provide bespoke homes that are available on an affordable basis in perpetuity.

Affordability, Occupancy and Perpetuity

8.13 A legal agreement will maintain rental levels, service costs and shared ownership fees that are truly affordable. The Council requires that prior to the marketing of affordable homes, the housing team should be contacted to agree the market values and so the discount in accordance with national requirements.

8.14 Where a Registered Provider is not involved in the perpetual management of an Affordable rented product, a legal agreement will be required to secure that affordable rental levels are maintained for future residents. However, any Social Rented units must be managed in perpetuity by a Registered Provider.

8.15 If affordable housing provision is removed, or withdrawn due to redevelopment or other such action, the Council requires replacement provision within the City. If physical replacement provision has been demonstrated as undeliverable, a clawback payment will be required. This will be calculated in line with the provisions of Planning Practice Guidance Paragraph: 008 Reference ID: 60-008-20180913.⁵

8.16 Eligibility of occupancy will be based on the Council's own framework of housing need, which informs the housing register for those residents registering need for social housing.

⁵ Planning Practice Guidance <https://www.gov.uk/guidance/build-to-rent>

9. Implementation and Section 106

- 9.1 Coventry City Council recognises the complexity and difficulty that the Section 106 negotiation and agreement process entails. The Section 106 Agreement is the preferred legal mechanism that ensures the lawful transfer of affordable rental properties to a Registered Provider on a perpetually affordable basis.
- 9.2 In cases where exceptional circumstances have been demonstrated, the Council may consider securing affordable housing through planning condition or the submission of a Unilateral Undertaking by an applicant in respect of planning obligations. A Section 106 Agreement remains the preferred delivery mechanism for affordable housing in the City.
- 9.3 This agreement will also establish that rental levels, services charges and other costs associated with shared ownership are, and remain, affordable. These costs should reflect a material discount from the general market rate, of at least 20% as a minimum discounted rate.
- 9.4 To provide some easement to the production of an acceptable Section 106 Agreement, the Council has provided the precedent template at Appendix 2
- 9.5 2. It is considered that this will provide the basis in developing a mutually satisfactory Section 106 Agreement which is able to deliver achievable affordable housing, across a variety of tenures and facilitatory mechanisms. This will also include timings for payments to be made to the Council, where applicable and occupational requirements for affordable units delivered.

Appendix 1 – Nationally Described Space Standards

Minimum gross internal floor areas and storage (m²)

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Notes

1. Built-in storage areas are included within the overall GIAs and include an allowance of 0.5m² for fixed service or equipment such as hot water cylinder, boiler or heat exchanger.
2. GIAs for one storey dwellings include enough space for one bathroom and one additional WC (or shower room) in dwellings with 5 or more bed spaces. GIAs for two and three storey dwellings include enough space for one bathroom and one additional WC (or shower room). Additional sanitary facilities may be included without increasing the GIA provided that all aspects of the space standard have been met.
3. Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as show bracketed.
4. Furnished layouts are not required to demonstrate compliance

APPENDIX 2

Schedule

Affordable Housing

Part 1.

1. Definitions

The following definitions and rules of interpretation apply in this Schedule:

“Additional First Homes Contribution”

means in circumstances where a sale of a First Home other than as a First Home has taken place in accordance with paragraphs 6.18, 6.19 or 6.26 of this Schedule, the lower of the following two amounts:

- a) 30% of the proceeds of sale; and
- b) the proceeds of sale less the amount due and outstanding to any Mortgagee of the relevant First Home under relevant security documentation which for this purpose shall include all accrued principal monies, interest and reasonable costs and expenses that are payable by the First Homes Owner to the Mortgagee under the terms of any mortgage but for the avoidance of doubt shall not include other costs or expenses incurred by the First Homes Owner in connection with the sale of the First Home

and which for the avoidance of doubt shall in each case be paid following the deduction of any SDLT payable by the First Homes Owner as a result of the disposal of the First Home other than as a First Home.

“Affordable Housing”

means subsidised Social Rented Housing, Affordable Rented Housing, Affordable Private Rented Housing and Intermediate Housing provided to eligible households whose needs are not met by the market where eligibility is determined with regard to local incomes and local house prices. Such housing should include provisions to remain at an affordable price for future eligible households or for the

subsidy to be recycled for alternative Affordable Housing provision in accordance with Homes England requirements;

“Affordable Housing Commuted Sum”

means $A - B = C$

A is the open market value of the Affordable Housing Unit not being delivered on the Site (i.e. as if it were a Market Housing Unit free from the restrictions to provide it as an Affordable Housing Unit). The value must be demonstrated by the Owner by relevant recent local examples supported by an independent valuation from a RICS accredited professional;

B is the value at which a Registered Provider would be prepared to purchase the Affordable Housing Unit(s) on the basis that it is an Affordable Housing Unit subject to the relevant restrictions set out Schedule 2 of this Deed. The Owner should demonstrate this value with written evidence from at least two recognised Registered Providers PROVIDED THAT in the event that it is not reasonably practicable or possible to obtain such written evidence then the value shall be assumed to be 50% of the value of A; and

C is the Affordable Housing Commuted Sum, being the difference between A and B, and considered to be the cost of developing the Affordable Housing Unit elsewhere;

“Affordable Housing Provider”

means a provider of Affordable Housing including Registered Providers and any other body which may deliver Affordable Housing within the city;

“Affordable Housing Scheme”

means a scheme for the provision of Affordable Housing and First Homes including the location mix size tenure and type of each Affordable Housing Unit;

“Affordable Housing Scheme Document”

means a document which sets out details of the Affordable Housing Scheme and which covers matters to be approved by the Council under this Schedule subject to any later variation of such documents as may be agreed in writing between the Council and the Owner from time to time;

“Affordable Housing SPD”

means the Supplementary Planning Document – Affordable Housing adopted by the Council’s Planning Committee in [INSERT DATE];

“Affordable Housing Unit”

means each and every affordable housing unit to be constructed pursuant to the Development as part of the Affordable Housing Scheme;

“Affordable Private Rented Housing”	means housing let by a landlord who is not a Registered Provider which is subject to a rent of no more than 80% of the local Market Rent (including Service Charges, if any) and is to remain as such in perpetuity;
“Affordable Rented Housing”	means housing let by Registered Providers to households who are otherwise eligible for Social Rented Housing but where the affordable rent is subject to controls that require a rent of no more than 80% of the local Market Rent (including Service Charges, if any). For the purposes of this Deed, Affordable Rented Housing shall not be substituted for Social Rented Housing. Affordable Rented Housing is to remain as such in perpetuity;
“Armed Services Member”	means a member of the Royal Navy, the Royal Marines, the British Army or the Royal Air Force or a former member who was a member within the five (5) years prior to the purchase of the First Home, a divorced or separated spouse or civil partner of a member or a spouse or civil partner of a deceased member or former member whose death was caused wholly or partly by their service;
“Base Rent”	means the annual rent of each individual Affordable Housing Unit divided by the number of weeks over which such rent is collected in each year excluding the Service Charge;
“Choice Based Lettings Schemes”	means a scheme between the Council and Registered Providers who provide Social Rented Housing within the Council’s area comprising arrangements for the priority allocation of such housing;
“Cluster”	shall mean a group of Affordable Housing Units which does not have contiguous boundaries with another group of Affordable Housing Units;
“Compliance Certificate”	means the certificate issued by the Council confirming that a Dwelling is being disposed of as a First Home to a purchaser meeting the Eligibility Criteria (National) and unless paragraph 6.12 applies the Eligibility Criteria (Local) [in the form at Annex [1]]
“Development Standard”	means a standard to fully comply with the following:- <ul style="list-style-type: none"> a) "Technical housing standards – nationally described space standards" published by the Department for Communities and Local Government in March 2015 b) all national construction standards and planning policy relating to design which may be published by the Secretary of State or by the Council from time to time

c) Part 2 of Secured by Design standards published by Police Crime Prevention Initiatives Limited

d) Optional requirement M4(2) of Building Regulations 2010 (Part M) (Accessible and Adaptable Dwellings) [*and*

e) local requirements as set out in adopted local plan]

and the same may be amended by written agreement of the Parties in accordance with paragraph 6.10(a)

“Discount Market Price”

means a sum which is the Market Value discounted by at least 30%;

“Disposal”

means a transfer of the freehold or (in the case of a flat only) the grant or assignment of a leasehold interest in a First Home other than:

a) a letting or sub-letting in accordance with paragraphs 6.23 – 6.25

b) a transfer of the freehold interest in a First Home or land on which a First Home is to be provided before that First Home is made available for occupation except where the transfer is to a First Homes Owner

(c) an Exempt Disposal

and “Disposed” and “Disposing” shall be construed accordingly

“Discounted Market Sale Housing”

means each and every Affordable Housing Unit comprising Intermediate Housing as may be included within the Affordable Housing Scheme approved by the Council and designated for sale by the Owner to Local People at a discount from Market Value. Such discount shall be sufficient to enable each of the relevant Affordable Housing Units to meet the criteria of Affordable Housing and in any event shall not be less than 25% of the Market Value as shall be determined at the point of sale of each such Discounted Market Sale Housing unit in perpetuity;

“Dwelling”

means any single dwelling unit constructed on the Land as part of the Development intended for occupation by one or more private individuals;

“Eligibility Criteria (National)”

means criteria which are met in respect of a purchase of a First Home if:

a) the purchaser is a First Time Buyer (or in the case of a joint purchase each joint purchaser is a First Time Buyer); and

b) the purchaser’s annual gross income (or in the case of a joint purchase, the joint purchasers’ joint

annual gross income) does not exceed the Income Cap (National).

“Eligibility Criteria (Local)”

means criteria (if any) published by the Council at the date of the relevant disposal of a First Home which are met in respect of a disposal of a First Home if:

- a) the purchaser’s annual gross income (or in the case of a joint purchase, the joint purchasers’ joint annual gross income) does not exceed the Income Cap (Local) (if any); and
- b) any or all of criteria (i) (ii) and (iii) below are met:
 - (i) the purchaser meets the Local Connection Criteria (or in the case of a joint purchase at least one of the joint purchasers meets the Local Connection Criteria); and/or
 - (ii) the purchaser is (or in the case of a joint purchase at least one of the joint purchasers is) an Armed Services Member and/or
 - (iii) the purchaser is (or in the case of a joint purchase at least one of the joint purchasers is) a Key Worker

[it being acknowledged that at the date of this agreement the Council has not prescribed any Eligibility Criteria (Local) in respect of the disposal of a First Home.]

“Exempt Disposal”

means the Disposal of a First Home in one of the following circumstances:

- a) a Disposal to a spouse or civil partner upon the death of the First Homes Owner
- b) a Disposal to a named beneficiary under the terms of a will or under the rules of intestacy following the death of the First Homes Owner
- c) Disposal to a former spouse or former civil partner of a First Homes Owner in accordance with the terms of a court order, divorce settlement or other legal agreement or order upon divorce, annulment or dissolution of the marriage or civil partnership or the making of a nullity, separation or presumption of death order
- d) Disposal to a trustee in bankruptcy prior to sale of the relevant Dwelling (and for the avoidance of doubt paragraph 6.26 shall apply to such sale)

Provided that in each case other than (d) the person to whom the disposal is made complies with the terms of paragraphs 6.23 – 6.25;

“First Home”

means a Dwelling which may be disposed of as a freehold or (in the case of flats only) as a leasehold property to a First Time Buyer at the Discount Market Price and which on its first Disposal does not exceed the Price Cap;

“First Homes Owner”

means the person or persons having the freehold or leasehold interest (as applicable) in a First Home other than:

- a) the Developer; or
- b) another developer or other entity to which the freehold interest or leasehold interest in a First Home or in the land on which a First Home is to be provided has been transferred before that First Home is made available and is disposed of for occupation as a First Home; or
- c) the freehold a tenant or sub-tenant of a permitted letting under paragraphs 6.23 – 6.25

“First Time Buyer”

means a first time buyer as defined by paragraph 6 of Schedule 6ZA of the Finance Act 2003;;

“Homes England”

means Homes England as established under the Housing and Regeneration Act 2008;

“Income Cap (Local)”

means [X]

or such other local income cap as may be published from time to time by the Council and is in force at the time of the relevant disposal of the First Home [it being acknowledged that at the date of this agreement the Council has not set an Income Cap (Local)]

“Income Cap (National)”

means:

- a) in the case of a First Home situated within the administrative area of any London Borough Council (including the City of London), ninety thousand pounds (£90,000); and
- b) in the case of any other First Home, eighty thousand pounds (£80,000)

or such other sum as may be published for this purpose from time to time by the Secretary of State and is in force at the time of the relevant disposal of the First Home;

“Initial Let”	means the first tenancy of each newly constructed and previously unoccupied Affordable Housing Unit to be offered for rent within the Development;
“Independent Valuer”	means a member of the Royal Institution of Chartered Surveyors appointed by the Owner at its own cost but first approved in writing by the Council, and the phrase “Independent Valuers” shall be construed accordingly;
“Intermediate Housing”	means housing for sale or rent (on a Shared Ownership basis) provided at a cost above Social Rented Housing but below Market Value or Market Rent meeting the criteria of Affordable Housing. Such housing may include Shared Equity products (but not shared equity loans under the Homes England Help to Buy Scheme), Shared Ownership, Intermediate Rent, Discounted Market Sale Housing, First Homes or other approved affordable home ownership products (where a discount or subsidy from Market Value applies to provide for affordability) as may be agreed in writing between the Owner, the Registered Provider and the Council to be provided as agreed with the Council prior to the Commencement of Development;
“Intermediate Rent”	means Affordable Housing available for private letting either through the Owner or a Registered Provider at a Base Rent above that for Social Rented Housing but below Market Rent subject to the Base Rent and Service Charge (if any) for an Affordable Housing Unit comprising Intermediate Rent not exceeding 80% of the Market Rent and 80% of the Service Charge (if any);
“Local Help to Buy Agent”	means the organisation approved by Homes England from time to time to administer its affordable home ownership programme;
“Key Worker”	[such categories of employment as may be designated and published by the Council from time to time as the “First Homes Key Worker criteria” and is in operation at the time of the relevant disposal of the First Home and for the avoidance of doubt any such replacement criteria in operation at the time of the relevant disposal of the First Home shall be the “Key Worker” criteria which shall apply to that disposal it being acknowledged that at the date of this agreement the Council has not designated any categories of employment as Key Worker]
“Local Connection Criteria”	[such local connection criteria as may be designated and published by the Council from time to time as its “First Homes Local Connection Criteria” and which is in operation at the time of the relevant disposal of the First Home and for the avoidance of doubt any such criteria or

replacement criteria in operation at the time of the relevant disposal of the First Home shall be the “Local Connection Criteria”. which shall apply to that disposal it being acknowledged that at the date of this agreement the Council has not designated any criteria as Local Connection Criteria.]

“Local People”

means persons who:

- a) in the case of Affordable Housing comprising Social Rented Housing or Affordable Rented Housing in Coventry are eligible to obtain such Affordable Housing under the Choice Based Lettings Scheme;
- b) in the case of Intermediate Housing have a total household income at or below the average household income level for Coventry as published by the Council at the point of sale or letting of the Affordable Housing Unit comprising Intermediate Housing and who:
 - i) live within Coventry; or
 - ii) are moving to Coventry to take up employment or to be near to relatives resident within Coventry;

“Market Housing Unit”

means each and every Dwelling (other than an Affordable Housing Unit or First Home) to be constructed pursuant to the Development;

“Market Rent”

means the market rent of a Dwelling at the point of letting on the assumption that the Dwelling is a Market Housing Unit and not an Affordable Housing Unit;

“Market Value”

means the market value of the relevant Affordable Housing Unit or First Home at the point of sale as validated by an accredited independent valuer being a member of a relevant recognised professional body engaged in surveying and/or valuation (“Independent Valuer”) on the assumption that the Dwelling was otherwise a Market Housing Unit and not an Affordable Housing Unit or First Home;

“Mortgagee”

means any financial institution or other entity regulated by the Authority and the Financial Conduct Authority to Prudential Regulation provide facilities to a person to enable that person to acquire a First Home including all such regulated entities which provide Shari’ah compliant finance for the purpose of acquiring a First Home

“Practical Completion”

means completion of the construction of any Market Housing Unit, First Home or Affordable Housing Unit together with all associated infrastructure works and service connections to such a standard that any such Market Housing Unit, First Home or Affordable Housing

Unit is fit for human habitation, free of patent defects and complies with the Planning Permission to enable beneficial Occupation;

“Price Cap”

means the amount for which the First Home is sold after the application of the Discount Market Price which on its first Disposal shall not exceed [Two Hundred and Fifty Thousand Pounds (£250,000) or Four Hundred and Twenty Thousand Pounds (£420,000)] if the First Home is situated within the administrative area of any London Borough Council including the City of London or such other amount as may be published from time to time by the Secretary of State

“Registered Provider”

means a provider of Social Housing who is registered with Homes England under Part 2 of the Housing and Regeneration Act 2008 who is either on the Council’s list of preferred Registered Providers as set out at Appendix 2 of this deed or any other provider of Social Housing who is agreed in writing with the Council;

“Retail Price Index”

means the Retail Price Index published by the Office for National Statistics (or such other index as may be agreed between the parties);

“SDLT”

means Stamp Duty Land Tax as defined by the Finance Act 2003 or any tax replacing it of like effect;

“Secretary of State”

means the Secretary of State for Levelling Up, Housing and Communities from time to time appointed and includes any successor in function;

“Service Charge”

means the amount chargeable by the Owner, landlord, Affordable Housing provider or Registered Provider as the case may be to the tenant of each Affordable Housing Unit to cover services to be provided by the Owner or Registered Provider having regard to the Landlord and Tenant Acts 1985 and 1987 as amended;

“Shared Equity”

means Intermediate Housing where the purchaser acquires an Affordable Housing Unit in part with a conventional mortgage (usually up to 75% of the Dwelling’s Market Value including deposit) from a lender offering mortgages for residential property purchase together with an equity loan provided by the Registered Provider or Owner as applicable for the balance of the Market Value in accordance with a detailed scheme to be agreed with the Council prior to commencement of construction of any Affordable Housing Unit intended for sale on such terms;

“Shared Ownership”

means housing provided by a Register Provider or the Owner as applicable which is made available on the basis

of rent and part sale in proportions agreed between the relevant seller and the buyer/tenant;

“Social Housing”

means housing for either low cost rental or low cost home ownership as defined in Part 2 of the Housing and Regeneration Act 2008 and which meets the criteria of Affordable Housing set out in the deed;

“Social Rented Housing”

means housing owned by local authorities and private Registered Providers which is subject to Homes England guidance target rents regime and which is made available to people who are registered under the Choice Based Lettings Scheme to be provided as agreed with the Council prior to the Commencement of Development.

"Valuer"

means a Member or Fellow of the Royal Institution of Chartered Surveyors being a Registered Valuer appointed by the First Homes Owner and acting in an independent capacity.

Part 2.

2. Affordable Housing

2.1. The Owner covenants with the Council as follows:

- 2.1.1. Not less than 4 weeks prior to the Commencement Date, the Owner, after having consulted with the Council in accordance with clause 2.1.2 to this Schedule shall submit to the Council for its formal written approval the Affordable Housing Scheme (to be set out in an Affordable Housing Scheme Document) which provides that 25% of the total number of Dwellings comprised in the Development will be provided as Affordable Housing with [Insert quantum of affordable housing tenures here] (“the Affordable Housing Scheme”) in accordance with Annex 2 to the NPPF, the Affordable Housing SPD and taking into account the requirements set out in the remainder of this Schedule and Appendix 2.
- 2.1.2. Prior to submitting the Affordable Housing Scheme Document to the Council for approval as referred to at clause 2.1.1 of this Schedule the Owner shall consult the Council on the scope of the Affordable Housing Scheme including but not limited to the location, phasing, delivery, programme, arrangements for transfer of the Social Rented Housing to a Registered Provider, arrangement for transfer of the Affordable Private Rented Housing to a Affordable Housing Provider and operation/management of Intermediate Housing, type, mix, tenures and sizes, of the Affordable Housing Units to be provided being representative of the range of Dwelling types to be included in the Development as a whole as provided for by the Planning Permission.
- 2.1.3. Not to Commence Development or allow or permit the Commencement of Development until the Affordable Housing Scheme has been submitted to and approved in writing by the Council under clauses 2.1.1 and 2.1.2 of this Schedule.
- 2.1.4. To provide the Affordable Housing Units in accordance with the Affordable Housing Scheme set out in the Affordable Housing Scheme Document approved in writing by the Council.

2.1.5 No more than 60% of the Market Housing Units shall be occupied until the Affordable Housing Units being provided in accordance with the Affordable Housing Scheme Document approved by the Council have been constructed and transferred to a Registered Provider, an Affordable Housing Provider or the Council, as the case may be (save in respect of any Affordable Housing Units being disposed of direct to eligible Local People or in accordance with the First Homes criteria set out in Part 6) and written notification of such transfer has been given to the Council.

2.1.4. In the event the Owners elect to provide 100% Affordable Housing on the Development the following provisions shall apply:

2.1.4.1. they shall notify the Council in writing of the intention to provide 100% Affordable Housing prior to the first occupation of the first Dwelling;

2.1.4.2. they shall submit an Affordable Housing Scheme (“the Second Affordable Housing Scheme”) to the Council for approval for that Affordable Housing not covered by the First Affordable Housing Scheme within three (3) months of giving the written notice pursuant to clause 2.1.4.1;

2.1.4.3. in the event the election pursuant to clause 2.1.4.1 is to provide 100% Affordable Housing as part of the Development the balance will be provided as [] Social Rented Housing and [] Intermediate Housing (save as otherwise provided for in this Agreement);

2.1.4.4. they shall provide the Affordable Housing covered by the Second Affordable Housing Scheme in accordance with the Second Affordable Housing Scheme approved by the Council pursuant to clause 2.1.4.2; and

2.2. IT IS HEREBY AGREED THAT THE FOLLOWING PROVISIONS SHALL APPLY TO Affordable Housing Units provided pursuant to the Affordable Housing Scheme:

2.2.1. In respect of the Affordable Housing Units comprising Social Rented Housing and/or Affordable Rented Housing the Owner shall approach at least two Registered Providers or Affordable Housing Providers selected by the Owner to conclude an agreement for the transfer of those Affordable Housing Units to the Registered Provider or Affordable Housing Provider;

2.2.2 If the Owner cannot agree the transfer of those Affordable Housing Units comprising Social Rented Housing and/or Affordable Rented Housing with a Registered Provider or Affordable Housing Provider the Owner will approach the Council to offer the Council the opportunity to conclude an agreement for the transfer of those Affordable Housing Units comprising Social Rented Housing and/or Affordable Rented Housing to the Council;

2.2.3 If the Owner, after having approached at least four Registered Providers or Affordable Housing Providers and the Council is unable to dispose of the Affordable Housing Units the Owner may elect to take the steps set out in clause 2.5, below.

2.2.4 In respect of the Affordable Housing Units comprising Affordable Private Rented Housing the owner shall use all reasonable endeavours to conclude an agreement with an Affordable Housing Provider selected by the Owners for the transfer of those Affordable Housing Units to the Affordable Housing Provider;

2.2.5. In respect of the Affordable Housing Units comprising Intermediate Housing, the Owner may either:

2.2.5.1. transfer those Affordable Housing Units to a Registered Provider for letting or disposal as appropriate to Local People on a Shared Ownership basis; or

- 2.2.5.2. directly dispose of those Affordable Housing Units to eligible Local People on a Shared Equity basis in accordance with the requirements set out in Part 3 to this Schedule; or
 - 2.2.5.3. directly dispose of those Affordable Housing Units to eligible Local People on a Discounted Sale Affordable Housing basis in accordance with the requirements set out in Part 4 to this Schedule; or
 - 2.2.5.4. let those Affordable Housing Units to eligible Local People on an Intermediate Rent basis in accordance with the requirements set out in Part 5 of this Schedule; or
 - 2.2.5.5 directly dispose of those Affordable Housing Units on a First Homes basis in accordance with the requirements set out in Part 6 of this Schedule.
- 2.3. Pursuant to the preceding paragraphs of this Part of this Schedule, should it become necessary for the Owner to seek any alternative Registered Provider or Registered Providers to those specified in the Council's list of preferred Registered Providers set out in Appendix 2 to this deed the Owner shall give written notice to the Council specifying the reasons therefore and supplying appropriate evidence. The Owner shall consult with the Council on the selection of any such alternative Registered Provider and the Council's decision on selection shall be given in writing with both parties acting reasonably in the matter.
- 2.4. Following approval by the Council of an Affordable Housing Scheme under clause 2.1.1 of this Schedule, the Owner and the Registered Provider or the Affordable Housing Provider or the Council, as the case may be, in the case of Affordable Housing Units comprising Social Rented and/or Intermediate Housing (where the Registered Provider, Affordable Housing Provider or the Council is to acquire such Affordable Housing Units) may be permitted to agree alternative dwelling types and plot numbers in respect of such Affordable Housing Units provided they have the prior approval of the Council, in writing.
- 2.5 With the exception of First Homes. if despite using reasonable endeavours pursuant to paragraph 2.2.1 – 2.2.3 the Owner has been unable to dispose of the Social Rented Housing and/or Affordable Rented Housing to a Registered Provider, Affordable Housing Provider or the Council within [X] months of Commencement of Development (or such lesser period as the Council may agree in writing) then the Owner may thereafter elect to either:
- a) continue to try and dispose of the Social Rented Housing and/or Affordable Rented Housing in accordance with this Schedule; or
 - b) pay the Affordable Housing Commuted Sum.
- 2.6. From the date of Practical Completion of an Affordable Housing Unit, with the exception of First Homes, and its availability for Occupation it shall not be used other than for Affordable Housing save that all obligations in this Deed shall not be binding on:
- 2.6.1. a mortgagee or chargee or any receiver or manager (including an administrative receiver) appointed pursuant to the Law of Property Act 1925 of an Affordable Housing Unit or any part thereof exercising a power of sale in respect of a default by the then owner of the relevant Affordable Housing Unit; or
 - 2.6.2. a person acquiring one of the Affordable Housing Units pursuant to any form of statutory right to acquire binding upon the then owner of the relevant Affordable Housing Unit or the mortgagee chargee or receiver of the relevant Affordable Housing Unit following such acquisition; or
 - 2.6.3. a lessee of one of the Affordable Housing Units under a Shared Ownership scheme (if any) who has taken a transfer of the freehold reversion of that lease or who has staircased to 100% of the equity therein or the purchaser from or the mortgagee chargee or receiver of the lessee of that unit; or

2.6.4. or the successors in title to the parties listed in clauses 2.6.1, 2.6.2 and 2.6.3.

Part 3.

3. Shared Equity

- 3.1. Pursuant to Part 2 clause 2.2.5.2 of this Schedule, in respect of any Affordable Housing Units to be disposed of on a Shared Equity basis, the basis of the Shared Equity scheme is to be agreed with the Council as part of the Affordable Housing Scheme proposals to be submitted by the Owners under clause 2.1.2 of this Schedule.
- 3.2. The Shared Equity scheme under clause 2.2.5.2 of this Schedule shall take into account the following requirements:
 - 3.2.1. The equity loan that the Owner would be required to provide (for the balance of purchase price remaining after a conventional mortgage including deposit have been taken into account) shall be to Local People who are eligible for the purchase of an Intermediate Housing unit on Shared Equity terms;
 - 3.2.2. The equity loan repayment period will be 10 years extendable at the discretion of the Owner with buyers able to make full or partial repayments (minimum of 5% of the Market Value) at any time;
 - 3.2.3. The initial interest or charge free period must not be less than 5 years from the date of purchase;
 - 3.2.4. The interest payable after the initial charge free period shall not exceed 1.75% of the value of the equity loan unless otherwise agreed with the Council at the time the Affordable Housing scheme is agreed under clause 1 of this Schedule and will not increase thereafter by more than 1% above the Retail Price Index annually for the preceding 12 month period;
 - 3.2.5. The minimum proportion of the Market sale that must be made available as a Shared Equity loan shall be 20%;
 - 3.2.6. The Owner to consult with the Local Help to Buy Agent on the identification of suitable eligible Local People to be considered for acquisition on a Shared Equity basis in accordance with the detailed scheme for Shared Equity as agreed by the Council in writing;
 - 3.2.7. Any other relevant provisions required to ensure compliance with Affordable Housing criteria including requirements for Local People to purchase such Affordable Housing.

Part 4

4. Discounted Sale Affordable Housing

- 4.1 Pursuant to Part 2 paragraph 2.2.5.3 of this Schedule, in respect of any Affordable Housing Units to be disposed of on a Discounted Sale Affordable Housing basis, the following provisions shall apply:
 - a) disposal shall be to eligible Local People at a sum not exceeding 75% of the Market Value (as shall be determined at the point of the relevant transfer of the Affordable Housing Unit designated for Discounted Sale Affordable Housing); and
 - b) the Owner shall submit an application to the Chief Land Registrar of the Land Registry to place the following restriction in the proprietorship register of the title to the relevant Affordable Housing Unit designated for Discounted Sale Affordable Housing (or in such other form as the Chief Land Registrar shall deem appropriate) and on completion of the registration of such restriction will deliver to the Council an official copy of the relevant registered title

"No disposition of the registered estate (other than a charge) by the proprietor of the registered estate, or by the registered proprietor of any registered charge is to be registered without a certificate signed by a conveyancer that the provisions of paragraph 2.2.5.3, 2.5 and Part 4 of Schedule 2 to the Section 106 Agreement dated [xxxxxxx] between (1) The Council of the City of Coventry and (2) [xxxxxxx] Limited have been complied with or that they do not apply"

Part 5.

5. Intermediate Rent

- 5.1. Pursuant to Part 2, paragraph 2.2.5.4 of this Schedule, in respect of any Affordable Housing Units to be proposed to be let as Affordable Housing for Intermediate Rent (either by the Owner or an Affordable Housing Provider) details of the Immediate Rent proposals to be submitted by the Owner as part of the Affordable Housing Scheme and shall include (but not be limited to) the following:
- 5.1.1. procedures for management, maintenance and future major repair of the Affordable Housing Units over the life of the Development to ensure its effective operation in complying with the Affordable Housing obligations contained in this Schedule over the long term;
 - 5.1.2. details of the proposed allocation of the Affordable Housing Units and lettings policies having regard to Local People whose incomes are at or below the average for Coventry at the time of each letting and equal opportunities policies, complaints procedures;
 - 5.1.3. the proposed Base Rent and Service Charge for each relevant Affordable Housing Unit for Intermediate Rent at the time of Initial Let following completion of each Affordable Housing Unit having regard to the requirement for Intermediate Rent Affordable Housing Units to be let at Base Rents and Service Charges not exceeding 80% of the Market Rent and Service Charges Respectively;
 - 5.1.4. the basis for applying future Base Rent and Service Charge increases;
 - 5.1.5. prior to the Initial Let of each such Affordable Housing Unit for Intermediate Rent, submission of a Market Rent valuation for each such Affordable; Housing Unit for the purposes of agreeing the Base Rent and Service Charge at a level not exceeding 80% of those valuations respectively with such valuations being determined by an Independent Valuer;
 - 5.1.6. any other particulars that the Council may reasonably request to enable it to consider approval of any Affordable Housing proposed for Intermediate Rent.

Part 6.

6. First Homes

Obligations

- 6.1 Unless otherwise agreed in writing by the Council, the Owner for and on behalf of itself and its successors in title to the Land with the intention that the following provisions shall bind the Land and every part of it into whosoever's hands it may come covenants with the Council as below save that:
- a) paragraphs 6.2 - 6.10 shall not apply to a First Homes Owner;

- b) paragraphs 6.11 – 6.25 apply as set out therein but and for the avoidance of doubt where a First Home is owned by a First Homes Owner they shall apply to that First Homes Owner only in respect of the First Home owned by that First Homes Owner; and
- c) Paragraph 6.26 applies as set out therein.

Quantum of First Homes

- 6.2 [X%] of the total number] OR [X] of the Dwellings on the Site [(rounded up or down to the nearest whole Dwelling – *where percentage only*)] shall be identified reserved and set aside as First Homes in accordance with the [approved] Affordable Housing Scheme and shall be provided and retained as First Homes in perpetuity subject to the terms of this Schedule.
- 6.3 [*Where phased development*] Unless otherwise agreed through the [Site Wide Affordable Housing Scheme] [X%] of the total number of the Dwellings in each residential phase (rounded up or down to the nearest whole Dwelling) OR [X] Dwellings in each residential phase shall be identified reserved and set aside as First Homes and shall be provided and retained as First Homes in perpetuity subject to the terms of this Schedule in accordance with the [approved] Affordable Housing Scheme relevant to that residential phase.

Clustering

- 6.4 The First Homes shall not be visually distinguishable from the Market Housing Units based upon their external appearance;
- 6.5 The internal specification of the First Homes shall not by reason of their being First Homes be inferior to the internal specification of the equivalent Market Housing Units but, subject to that requirement, variations to the internal specifications of the First Homes shall be permitted
- 6.6 Clusters of houses shall not exceed [X] Affordable Housing Units;
- 6.7 Clusters of flats in blocks with [X] or less storeys shall:
 - 6.7.1 not exceed [X] Affordable Housing units;
 - 6.7.2 not have more than 6 flats with shared access; and
 - 6.7.3 be of a single tenure where sharing a communal entrance;
- 6.8 The size of Clusters and shared access arrangements for Affordable Housing Units which are flats in blocks with [X] or more storeys shall be agreed in writing with the Council as part of the Affordable Housing Scheme

Type and Distribution

- 6.9 The mix of First Homes provided within the Site shall be in accordance with the Affordable Housing Scheme

Development Standard

- 6.10 All First Homes shall be constructed to:-
 - a) the Development Standard current at [*the time of the relevant reserved matters approval/the date of this Agreement*]; and
 - b) no less than the standard applied to the Market Housing Units.

Delivery Mechanism

6.11 The First Homes shall be marketed for sale and shall only be sold (whether on a first or any subsequent sale) as First Homes to a person or person(s) meeting:

- a) the Eligibility Criteria (National); and
- b) the Eligibility Criteria (Local) (if any).

6.12 If after a First Home has been actively marketed for 3 months (such period to expire no earlier than three (3) months prior to Practical Completion) it has not been possible to find a willing purchaser who meets the Eligibility Criteria (Local) (if any), paragraph 6.11(b) shall cease to apply.

6.13 Subject to paragraphs 6.16 to 6.20, no First Home shall be Disposed of (whether on a first or any subsequent sale) unless not less than 50% of the purchase price is funded by a first mortgage or other home purchase plan with a Mortgagee .

6.14 No First Home shall be Disposed of (whether on a first or any subsequent sale) unless and until:

6.14.1 The Council has been provided with evidence that:

6.14.1.1 the intended purchaser meets the Eligibility Criteria (National) and unless paragraph 6.12 applies meets the Eligibility Criteria (Local) (if any)

6.14.1.2 the Dwelling is being Disposed of as a First Home at the Discount Market Price and

6.14.1.3 the transfer of the First Home includes:

a) a definition of the "Council" which shall be "means Coventry City Council"

b) a definition of "First Homes Provisions" in the following terms:

"means the provisions set out in clause[s] 6.11 – 6.19 of the [Supplemental] S106 Agreement a copy of which is attached hereto as the Annexure."

c) A definition of "[Supplemental] S106 Agreement" means the [supplemental] agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated [] made between (1) the Council [and] (2) [and] (3) []

d) a provision that the Property is sold subject to and with the benefit of the First Homes Provisions and the Transferee acknowledges that it may not transfer or otherwise Dispose of the Property or any part of it other than in accordance with the First Homes Provisions

e) a copy of the First Homes Provisions in an Annexure

6.14.2 The Council has issued the Compliance Certificate and the Council hereby covenants that it shall issue the Compliance Certificate within twenty eight (28) days of being provided with evidence sufficient to satisfy it that the requirements of paragraphs 6.13 and 6.14.1 have been met

6.15 On the first Disposal of each and every First Home to apply to the Chief Land Registrar pursuant to Rule 91 of and Schedule 4 to the Land Registration Rules 2003 for the entry on the register of the title of that First Home of the following restriction:

"No disposition of the registered estate (other than a charge) by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a certificate signed by [Local Authority] of [address] or their conveyancer that the provisions of clause XX (the First Homes provision) of the Transfer dated [Date] referred to in the Charges Register have been complied with or that they do not apply to the disposition"

6.16 The owner of a First Home (which for the purposes of this clause shall include the Developer and any First Homes Owner) may apply to the Council to Dispose of it other than as a First Home on the grounds that either:

6.16.1 the Dwelling has been actively marketed as a First Home for six (6) months in accordance with Clauses 6.11 and 6.12 (and in the case of a first Disposal the six (6) months shall be calculated from a date no earlier than six (6) months prior to Practical Completion) and all reasonable endeavours have been made to Dispose of the Dwelling as a First Home but it has not been possible to Dispose of that Dwelling as a First Home in accordance with paragraphs 6.13 and 6.14.1; or

6.16.2 requiring the First Homes Owner to undertake active marketing for the period specified in paragraph 6.16.1 before being able to Dispose of the Dwelling other than as a First Home would be likely to cause the First Homes Owner undue hardship

6.17 Upon receipt of an application served in accordance with paragraph 6.16 the Council shall have the right (but shall not be required) to direct that the relevant Dwelling is disposed of to it at the Discount Market Price

6.18 If the Council is satisfied that either of the grounds in paragraph 6.16 above have been made out it shall confirm in writing within twenty eight (28) days of receipt of the written request made in accordance with paragraph 6.16 that the relevant Dwelling may be Disposed of:

6.18.1 to the Council at the Discount Market Price; or

6.18.2 (if the Council confirms that it does not wish to acquire the relevant Dwelling) other than as a First Home

and on the issue of that written confirmation the obligations in this Deed which apply to First Homes shall cease to bind and shall no longer affect that Dwelling apart from paragraph 6.20 which shall cease to apply on receipt of payment by the Council where the relevant Dwelling is disposed of other than as a First Home

6.19 If the Council does not wish to acquire the relevant Dwelling itself and is not satisfied that either of the grounds in paragraph 6.16 above have been made out then it shall within twenty eight (28) days of receipt of the written request made in accordance with paragraph 6.16 serve notice on the owner setting out the further steps it requires the owner to take to secure the Disposal of a Dwelling as a First Home and the timescale (which shall be no longer than six (6) months). If at the end of that period the owner has been unable to Dispose of the Dwelling as a First Home he may serve notice on the Council in accordance with paragraph 6.16 following which the Council must within 28 days issue confirmation in writing that the Dwelling may be Disposed of other than as a First Home

6.20 Where a Dwelling is Disposed of other than as a First Home or to the Council at the Discount Market Price in accordance with paragraphs 6.18 or 6.19 above the Owner of the First Home shall pay to the Council forthwith upon receipt of the proceeds of sale the Additional First Homes Contribution

6.21 Upon receipt of the Additional First Homes Contribution the Council shall:

6.21.1 within [] working days of such receipt, provide a completed application to enable the removal of the restriction on the title set out in paragraph 6.15 where such restriction has previously been registered against the relevant title

6.21.2 apply all monies received towards the provision of Affordable Housing

6.22 Any person who purchases a First Home free of the restrictions in schedule [] of this Deed pursuant to the provisions in paragraphs 6.19 and 6.20 shall not be liable to pay the Additional First Homes Contribution to the Council.

Use

6.23 Each First Home shall be used only as the main residence of the First Homes Owner and shall not be let, sub-let or otherwise Disposed of other than in accordance with the terms of this Deed PROVIDED THAT letting or sub-letting shall be permitted in accordance with paragraphs 6.23.1 – 6.23.4 below.

6.23.1 A First Homes Owner may let or sub-let their First Home for a fixed term of no more than two (2) years, provided that the First Homes Owner notifies the Council in writing before the First Home is Occupied by the prospective tenant or sub-tenant. A First Homes Owner may let or sub-let their First Home pursuant to this paragraph more than once during that First Homes Owner's period of ownership, but the aggregate of such lettings or sub-lettings during a First Homes Owner's period of ownership may not exceed two (2) years.

6.23.2 A First Homes Owner may let or sub-let their First Home for any period provided that the First Homes Owner notifies the Council and the Council consents in writing to the proposed letting or sub-letting. The Council covenants not to unreasonably withhold or delay giving such consent and not to withhold such consent in any of circumstances (a) – (f) below:

- a) the First Homes Owner is required to live in accommodation other than their First Home for the duration of the letting or sub-letting for the purposes of employment;
- b) the First Homes Owner is an active Armed Services Member and is to be deployed elsewhere for the for the duration of the letting or sub-letting;
- c) the First Homes Owner reasonably requires to live elsewhere for the duration of the letting or sub-letting in order to escape a risk of harm;
- d) the First Homes Owner reasonably requires to live elsewhere for the duration of the letting or sub-letting as a result of relationship breakdown;
- e) the First Homes Owner reasonably requires to live elsewhere for the duration of the letting or sub-letting as a result of redundancy; and
- f) the First Homes Owner reasonably requires to live elsewhere for the duration of the letting or sub-letting in order to provide care or assistance to any person.

6.24 A letting or sub-letting permitted pursuant to paragraph 6.23.1 or 6.23.2 must be by way of a written lease or sub-lease (as the case may be) of the whole of the First Home on terms which expressly prohibit any further sub-letting.

6.25 Nothing in these paragraphs 6.23 – 6.25 prevent a First Homes Owner from renting a room within their First Home or from renting their First Home as temporary sleeping accommodation provided that the First Home remains at all times the First Home Owner's main residence.

Mortgagee Exclusion

6.26 The obligations in paragraphs 6.1 – 6.25 of this Deed in relation to First Homes shall not apply to any Mortgagee or any receiver (including an administrative receiver appointed by such Mortgagee or any other person appointed under any security documentation to enable such Mortgagee to realise its security or any administrator (howsoever appointed (each a Receiver)) of any individual First Home or any persons or bodies deriving title through such Mortgagee or Receiver PROVIDED THAT:

6.26.1 such Mortgagee or Receiver shall first give written notice to the Council of its intention to Dispose of the relevant First Home; and

- 6.26.2 once notice of intention to Dispose of the relevant First Home has been given by the Mortgagee or Receiver to the Council the Mortgagee or Receiver shall be free to sell that First Home at its full Market Value and subject only to paragraph 6.26.3
- 6.26.3 following the Disposal of the relevant First Home the Mortgagee or Receiver shall following the deduction of the amount due and outstanding under the relevant security documentation including all accrued principal monies, interest and reasonable costs and expenses pay to the Council the Additional First Homes Contribution.
- 6.26.4 following receipt of notification of the Disposal of the relevant First Home the Council shall:
- 6.26.4.1 forthwith issue a completed application to the purchaser of that Dwelling to enable the removal of the restriction on the title set out in paragraph 6.15; and
- 6.26.4.2 apply all such monies received towards the provision of Affordable Housing

Schedule

Build to Rent

1. Definitions

The following definitions and rules of interpretation apply in this Schedule:

- | | |
|---|--|
| “Build to Rent Housing” | Means Market Housing Units made available for rent in accordance with the requirements of Part 4 of the Affordable Housing SPD relating to affordable private rent (build to rent/PRS) and as replaced or amended; |
| “Build to Rent Housing Strategy” | means a strategy that relates to Units available as affordable private rent that are proposed to be Occupied as Build to Rent Housing and which must include: <ul style="list-style-type: none"> (a) Local marketing to be adopted within the city of Coventry for the first 3 months; (b) Measures to demonstrate that a consistent and quality level of housing management will be offered that meets appropriate standards; and (c) The identity of the single provider who shall have the overall day to day management of the Build to Rent Housing, unless otherwise agreed with the Council. |

2. MARKETING STRATEGY

Where an individual or organisation (with the exception of a Registered Provider) has bought more than two Market Housing Units and intends to let those units to persons other than immediate family members that individual or organisation shall provide the Council with the name, address and contact details of the managing agent and ensure that the said managing agent is registered with the Association of Rental Letting Agents ('ARLA') or the National Association of Estate Agents ('NAEA').

3. BUILD TO RENT HOUSING

Where the Owner proposes to provide any of the Market Housing Units as Build to Rent Housing the Owner shall before those Dwellings are Occupied submit to the Council for approval a Build to Rent Housing Strategy.

Any Market Housing Units that are proposed to be Occupied as Build to Rent Housing shall only be Occupied in accordance with the relevant approved Build to Rent Housing Strategy in perpetuity.

Appendix 2 – List of Preferred Registered Providers

1. The following Registered Providers are those who have Affordable Housing in Coventry and are the Council's preferred Registered Providers for the development and operation of new and additional Affordable Housing in Coventry:

Citizen

Clarion

Midland Heart Limited

Orbit Housing Association

Optivo

Platform

Stonewater

2. Furthermore, Coventry City Council may consider the purchase of affordable housing stock in certain, limited circumstances.

3. In the event that any of the Registered Providers set out in paragraph 1 to this Appendix have ceased to be a preferred Registered Provider at the time the Owner seeks to conclude an agreement for the transfer of Affordable Housing under Schedule 2, the Owner shall have regard to the Council's list of preferred Registered Providers in being at that time.

Affordable Housing SPD:

Comment Reference	Respondent	Page/Para Reference	Consultation Response	Officer Summary	Proposed Change to SPD
AH1	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	General	Supplementary Planning Documents (SPDs) provide an ideal opportunity for the LPA to explain the role of Housing Associations in the delivery of affordable housing. As a whole, the SPD should include a wider discussion of roles that other bodies such as Housing Associations and Registered Providers have in delivering the housing needs of the area.	The role of preferred registered providers is outlined in Section 8 of this SPD.	No Change.
AH2	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	General	In recent times of reduced financial support HAPC members have become closely involved in the direct delivery of new affordable housing. HAPC members are also seeking to explore the many models of affordable housing delivery that are set out in Annex 2 of the NPPF. Moreover, we would like to encourage opportunities for the joint commissioning of affordable housing delivery between the Council and HAPC members.	Noted. The Council's approach to developing affordable housing is beyond the scope of this SPD. Coventry City Council's Housing Department will be notified of this point.	No Change.
AH3	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	General	Whilst reference to the updated NPPF 2021 is welcomed, it is suggested the Council refrain from reproducing national policy text. This will help to ensure the longevity and consistency with a changing national policy context in years to come. As an example, Paragraph 2.4 reproduces national policy with regard to affordable housing, instead it would be more appropriate to direct readers to Annex 2 of the NPPF 2021.	Noted, this reflects the text at the time the SPD was produced, which therefore sets the context for the SPD and it is felt that reproducing the text is helpful in this regard. If the NPPF and guidance changes the case officer will be aware of this and take it into account.	No Change.
AH4	Tetlow King Planning (On behalf of the West Midlands Combined Authority)	Paragraph 2.6	It is also noted Paragraph 2.6 in reference to the West Midlands Combined Authority definition of affordable housing refers to the NPPF 2019. As the Council is aware,	Noted, the SPD will be updated accordingly.	Paragraph 2.6 updated to

	Midlands Housing Association Planning Consortium)		the latest revision of the NPPF dates 20 July 2021. We therefore recommend that reference to the NPPF 2019 be updated to the most recent version.		reference NPPF 2021.
AH5	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 2.6	<p>Further, the wording of Paragraph 2.6 conflates two separate issues:</p> <p><i>“The Combined Authority’s definition of affordable housing goes beyond the statutory definition as referenced in the NPPF by stating that to be truly affordable, residents should not pay more than 35% of their income towards their monthly rent or mortgage. This establishes a greater discount of 15% when made against the definition referenced in the NPPF 2019, which asserts that a 20% discount from the prevailing rate as an affordable rate”.</i></p> <p>The Combined Authority definition of affordable housing relates to the proportion of income that is spent towards their monthly income or mortgage. This is a different context to the NPPFs definition of affordable housing that quotes affordable housing must be 20% below market value or rents. These are two issues of separate intent and context, clear differentiation is needed.</p>	Paragraph 2.6 outlines the difference between the Combined Authority’s definition of affordable housing and that outlined by National Policy. Para 2.7 amended to make clear the issue about intent and context.	Amended para 2.7 to clarify the difference with intent and context.
AH6	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 2.11	Paragraph 2.11 notes at time of adoption of the local plan (2017) a shortfall of 1,150 of affordable homes was identified. The HAPC members are well placed and keen to boost the supply of affordable homes in the City. The Council’s commitment to produce Authority Monitoring reports is welcome to ensure that the annual target of 348 dwellings is achieved.	Noted.	No Change.

AH7	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	General – with regard to tenure types	<p>Whilst a prescribed tenure mix can be helpful to ensure the delivery of a range of tenure types, it is hoped that the Coventry City Council will take a pragmatic approach to the application of the policy requirements having regard to site characteristics and housing market conditions.</p> <p>We hope that the City Council will continue to support shared ownership as an affordable home ownership tenure as it provides an invaluable role in assisting home ownership and enabling households to join the housing market with small deposits. Shared Ownership is flexible and well established affordable homeownership product that enables staircasing up to full ownership.</p>	Noted. The Council's support for shared ownership is made clear in the table underneath Paragraph 4.3, Intermediate Provision.	No Change.
AH8	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 5.2	Section 5 refers to the expected design standards of both market and affordable housing. In particular, Paragraph 5.2 sets out relevant design considerations for creating the 'highest level of residential amenity'. Our HAPC members seek to deliver high-quality, well-designed schemes that contribute to placemaking of local communities.	Noted.	No Change.
AH9	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 5.10	Paragraph 5.10 elaborates on Part 7 of Policy H6: Affordable Housing, suggesting the identification of housing size and typology through dialogue "with various interested parties to achieve the most appropriate and affordable housing type". The HAPC is grateful for the recognition of dialogue in aiding the delivery of affordable housing. Such dialogue allows for flexibility in house size and typologies to meet the latest housing needs in specific localities across the area whilst also improving the viability of projects coming forward.	This SPD cannot set spatial standards as this is beyond the scope of the SPD. Moreover, the Registered Providers Forum (Run by the City Council's housing department) provides a mechanism for such discussions to be had	No Change.

			<p>However, with this recognition we would like to remind the Council that communication and dialogue with Housing Associations as an ‘interested party’ will aid in securing the delivery of affordable housing. There have been circumstances where no Housing Associations have taken up the affordable units as they are too small, making them inappropriate. Further dialogue and consultation with housing associations during the planning application process would help avoid these issues.</p>		
AH10	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 5.14	<p>We are pleased to see that paragraph refers to ‘realistic management practices’ and recognises the need to minimise costs and retain affordability in perpetuity. It is helpful that Council is open about tenure integration and has not set a prescriptive limit on affordable housing clusters. However, if the Council were minded to include a limit we would suggest clusters up to 15 units should be permitted. We also note the Council support for Advanced Methods of Construction (AMC). Our members are keen to promote energy efficient construction where possible as part of the zero carbon agenda.</p>	Comments noted. However any creation of new policy is beyond the scope of this SPD.	No Change.
AH11	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 8.11	<p>We are also pleased that the SPD recognises the critical role of Housing Association in the delivery of new affordable homes and the HAPC members are included as Preferred Registered Providers listed in paragraph 8.3. The HAPC is pleased to see that the SPD recognises the potential of delivering affordable housing through community groups as noted in Paragraphs 8.5 to 8.7. Many HAPC housing associations have successfully</p>	Noted, the SPD will be updated accordingly.	Paragraph 8.11 to be updated to reference First Homes.

			delivered AH with Community Land Trusts in recent years. Paragraph 8.11, references “starter homes”. Although this is still referenced in the NPPF Annex 2 definition of Affordable Housing, it has been superseded by the introduction of “First Homes” in June 2021 and should be removed. Reference should only be made to “First Homes” as is the case elsewhere in the SPD.		
AH12	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 8.14	Further, Paragraph 8.14 gives the impression that all affordable housing units provided in Coventry are to be retained in ‘perpetuity’ (i.e. retained as affordable housing tenure forever). The NPPF only requires affordable housing to be secured in ‘perpetuity’ on Rural Exception Sites. Securing affordable housing in this manner can be problematic for affordable housing providers and purchasers when attempting to secure mortgages for properties that are restricted in such a manner. To ensure consistency with national policy and allow for fair implementation of the SPD the Council should remove reference to securing affordable housing in ‘perpetuity’ unless it is made clear that it relates directly to Rural Exception Sites only.	The retention of Affordable Housing in perpetuity ensures access to affordable housing remains viable for the City’s residents in the future, and that private sales do not benefit from Section 106 provisions. The NPPF does not preclude the retention of Affordable Housing in perpetuity and the principle is well established. Indeed, if the definition of affordable housing is reviewed in Annex 2 the Glossary to the NPPF July 2021, paragraph A refers to affordable housing for rent, paragraph C discounted market housing and D other affordable routes to home ownership; each of these paragraphs refers to future eligible households. We therefore do not propose any change to the paragraph.	No Change.
AH13	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 8.15	We understand the intent of paragraph 8.15 in seeking to ensure that affordable housing stock losses are kept to a minimum, but the reality is there will be inevitable stock losses through the Right to Acquire and in some estate regeneration schemes. The Council need to mindful that affordable housing can only be secured in perpetuity on Rural Exception Sites and otherwise	We disagree that estate regeneration automatically necessitates the loss of affordable housing – and such losses will need to be justified by the applicant and be reviewed on a case-by-case basis.	No Change.

			registered providers are permitted to sell their stock without restraint.		
AH14	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Appendix 2 – 2.2.3	We are pleased to see that the SPD provides an AH Section 106 Agreement wording template. This will assist and simplify the preparation of planning obligations. We are also pleased to note that our HAPC members are included as Preferred Registered Providers. However, it is important to highlight the fact that only two of the six Registered Providers are suggested. It is recommended that all listed Registered Providers be included. All Registered Providers should be approached before the developer concludes they aren't able to sell to a Registered Provider.	We do not believe it is practicable to require developers to receive the refusals outlined in the referenced para from all the listed Registered Providers. However, in order to ensure that a wide range of providers are engaged that number will be increased from two to four.	Change reference from two Registered Providers to four.
AH15	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Appendix 2	Furthermore, we request that all Registered Providers put forward on Pages 38-39 be included on the same page. This will remove any visual bias and opportunity for exclusion.	Noted, but the providers are introduced in Chapter 8, all on the same page.	No Change.
AH16	Natural England		No comments to make on the AH SPD	Noted.	No Change.
AH17	Coventry Society	General	The Coventry Society welcomes the document's: <ul style="list-style-type: none"> • emphasis on ensuring that there is a mix, and choice, of tenures across the city rather than particular types of tenancy being concentrated in certain areas, and that the different types of tenancy should be integrated into new developments. • links with the aspirations and objectives of the Council's Housing and Homeless Strategy 2014 	Noted, however, this SPD is intended to provide clarity and certainty for the delivery of affordable homes within the context set by national planning policy.	No Change.

			<p>and the Strategic Housing Market Assessment 2015 (but note comment on the latter below).</p> <ul style="list-style-type: none"> • concern with meeting residents’ need and with build quality, including energy efficiency, environmental friendliness and internal living space requirements. • recognition of advanced methods of construction. • acknowledgement of non-traditional forms of provision such as co-living, self-build and community-led housing (but note comment below). <p>We do, however, have a number of reservations and criticisms of the document and its shortcomings, particularly in the light of the alarming statistic that in four years only half the target number of affordable homes in the plan have ‘benefited from planning permission, were being constructed or had been delivered’. This is a shocking situation, which we are not at all convinced will be remedied by the measures outlined in the document, given its generally complacent, unimaginative, ‘business as usual’, ‘more of the same’ approach.</p>		
AH18	Coventry Society	General	<p>We are concerned that the viability argument – often highly questionable or entirely spurious - will continue to lead to the City Council being outmanoeuvred in its negotiations with developers. The example of City Centre South, with, thus far, its total absence of affordable housing, vividly illustrates the point. We would like to see this ‘get-out’ tightened up considerably and subject to much greater transparency.</p>	<p>Noted, however, this SPD is intended to provide clarity and certainty for the delivery of affordable homes within the context set by national planning policy. Viability testing can be considered as part of this process.</p> <p>NPPF para 58 states: “It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability</p>	No Change.

				assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.”	
AH19	Coventry Society	Validity of SHMA	<p>We are aware that there has been considerable recent public debate about the validity of the SHMA. The Society shares some of the doubts that have been raised about it, including the significance of social, economic and demographic changes such as:</p> <ul style="list-style-type: none"> • the failure of the exceptionally large population growth, which was assumed when the plan was drawn up, to materialise; • a growth in the student population and the concomitant expansion of bespoke student accommodation with its associated effects on land cost and availability, pressure on local services and amenities, etc; • a growth in Coventry’s migrant populations, with their specific needs; • a growing realisation of the ramifications of an ageing population, whose needs should be reflected in the delivery of new housing, a point emphasised in the recent white paper 	The SPD elaborates on adopted policy, however the SHMA is being updated in terms of a new sub-regional Housing and Economic Development Needs Assessment (HEDNA) and this will be used to inform any future Local Plan work.	No Change.

			<p>People at the Heart of Care: adult social care reform, itself arguably underplaying the consequences of an ageing population on housing delivery (see for example https://housingevidence.ac.uk/housing-and-the-social-care-white-paper-a-credibility-gap/).</p> <ul style="list-style-type: none"> The effects of the Covid-19 pandemic, including the growth of 'working at home'. 		
AH20	Coventry Society	General	We are surprised that, despite recognising that non-traditional forms of provision such as co-living, self-build and community-led housing have a part to play, co-living has been so thoroughly dismissed in the document, for reasons that we find flimsy and unconvincing.	As detailed in para 5.20, off-site affordable housing contributions will be required in the form of a commuted sum.	No change.
AH21	Coventry Society	General	Given the continued sluggish delivery of affordable housing we are also surprised that the City Council proposes to continue with the same restricted list of rather samey Registered Providers. Our overall verdict on the guidance is that it presents laudable aims and objectives but leaves us with serious doubts that its implementation will give the desired results. If that proves to be the case it will have failed the people of Coventry.	Paragraph 8.4 outlines a mechanism for engagement with alternative providers. The document is intended to provide clarity and will assist delivery within the scope of what an SPD can achieve as supplementary policy.	No Change.
AH22	Coventry Society	General	[Suggest that] The emerging and changing needs (and numbers) of Coventry's population are monitored closely and reflected in flexible and regularly reviewed planning guidance.	Noted. The evidence base for this is being updated.	No Change.
AH23	Coventry Society	General	[Suggest that] The provision of affordable housing is opened up to a much wider set of providers, to	Noted. Paragraph 8.4 of this SPD outlines how Alternative Providers may be involved	No Change.

			encourage innovation, competition and an increase in the number of delivery channels. New providers should be encouraged, not just because of the additional homes they will provide but because their schemes will be exemplars and challengers to the existing players. This should include community organisations and charities, in partnership with registered providers where appropriate. Starley Housing Co-operative, which partners with Greensquare Accord, is a good example of what can be achieved. So is Earlsdon Park Village, which is also an exemplar of how housing and social care can be brought together.	in the delivery of affordable housing in Coventry. This is Council policy, comments will be conveyed to those departments involved.	
AH24	Coventry Society	General	[Suggest that] These new challenger providers should include the City Council itself. Throughout the UK, local authorities in a similar position to Coventry's – a shortfall in the delivery of housing, in particular affordable housing, by traditional developers – have found ways to enter the field themselves. See for example https://www.theguardian.com/cities/2019/oct/28/meet-the-councils-quietly-building-a-housing-revolution and https://www.rtpi.org.uk/research/2017/june/local-authority-direct-provision-of-housing-i/	The Council's Policy on the development of new affordable homes is beyond the scope of this SPD. Comments will be conveyed to those involved.	No Change.
AH25	Coventry Society	General	[Suggest that] The viability regime for developers is toughened up. It is clear that developers are too quick to reach for this escape route in the cause of profit maximisation and scheme simplification. It is too easy for developers to negotiate their way out of their social obligations with the help of high-powered consultants. The replacement options – section 106 agreements, the	Noted, however, this SPD is intended to provide clarity and certainty for the delivery of affordable homes within the context set by national planning policy. Viability testing can be considered as part of this process. NPPF 58 "It is up to the applicant to demonstrate whether particular	No Change.

			provision of affordable housing on another site, the payment of a commuted sum – are often inadequate.	<i>circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.”</i>	
AH26	Coventry Society	General	[Suggest that] Non-traditional forms of provision are actively encouraged, including by the creation of a support and advice function within the City Council.	Noted, this suggestion has been passed onto Colleagues in the housing department who are responsible for such matters.	No Change.
AH27	Savills (on behalf of their unnamed clients)	4.3	<p>The table at 4.3 incorrectly applies the NPPF policy for affordable private rent. The table in the draft SPD states that affordable rental homes are made available at least 80% discount on market price. The requirement is the inverse, being at least 20% discount on market rent. The table at 4.3 needs to be corrected accordingly.</p> <p>The table at 4.3 also needs to state that affordable private rent can be 100% of the tenure mix requirement of the affordable component (up to 25% of overall provision) regardless of the Concentration Area category. The table at 4.3 needs to be corrected accordingly.</p>	<p>The discount rate for affordable private rent is to be corrected to the figure of 20%.</p> <p>BtR Planning Guidance https://www.gov.uk/guidance/build-to-rent sets out that BtR developments are to deliver their affordable housing as affordable private rent which does not have to be managed by a registered provider.</p>	Table 4.3 updated to show the correct figure.

AH28	Savills (on behalf of their unnamed clients)	5.18 – 5.19	<p>The support for co-living housing at 5.18 is welcomed as it acknowledges the important role co-living accommodation can play in meeting the housing needs of the city. We disagree however, that co-living developments are not suitable to provide on-site affordable units as stated at 5.19. The national policy set out above makes clear that on-site provision of discounted rental accommodation by the private owner of the build to rent accommodation is the expected norm. This applies to co-living accommodation equally as to other forms of build to rent. 5.19 should be corrected to bring it into line with NPPF and PPG policy.</p>	<p>Under para 19 a new para 20 to be introduced to provide further clarification to reflect national policy and guidance on BtR With regards to co-living, this is a different product meeting different needs and it is not seen how on site provision would be workable. Therefore commuted sums are deemed appropriate.</p>	<p>New para 20 to better reflect national policy and guidance on build to rent.</p>
AH29	Savills (on behalf of their unnamed clients)	5.20	<p>National policy also provides that the rent subsidy can be recycled for alternative affordable housing provision. The ability to provide a financial contribution for off-site provision in lieu of on-site provision with build to rent (including co-living) should continue to be included as an option as set out at 5.20.</p>	<p>Update the section to better reflect national policy and guidance.</p>	<p>New para 20 to better reflect national policy and guidance on build to rent.</p>
AH30	Savills (on behalf of their unnamed clients)	Part 7	<p>The calculation of the commuted sum, should not however be as set out in the formula at part 7, but should instead be equivalent to the rental discount that would otherwise be borne by the build to rent operator if the affordable provision was made on-site. This would reflect the 20% discount to market rent across the number of units that would be required to be provided.</p> <p>This suggested approach is fair and transparent, being equal in subsidy amount. Such an approach is also consistent with the definition set out at NPPF Annex 2. 5.20 and Part 7 should be amended to comply with the</p>	<p>Amend para 7.2 to make clear that this is an expectation of the council rather than a requirement.</p> <p>In line with PPG on BtR, any ‘clawback’ arrangement will be calculated in line with National Policy.</p> <p>Para 7.6 clearly states that applications will be considered on a case by case basis.</p>	<p>Amended para 7.2 to show this is an expectation of the council.</p>

			NPPF provision that alternative provision can be made with the rental subsidy.		
AH31	Savills (on behalf of their unnamed clients)	7.7	The approach proposed by the SPD at 7.7 where the Council will seek additional provision with off-site provision, is not in accordance with the NPPF. 7.7 should therefore be deleted.	The Council believes this approach is compliant with the NPPF.	No Change.
AH32	Savills (on behalf of Barratt)	2.5 – 2.7	Paragraphs 2.5 -2.7 of the SPD make reference to an affordable housing definition by the West Midlands Combined Authority ('WMCA') which states that to be truly affordable, residents should not have to pay more than 35% of their income in rent or a mortgage. Paragraph 2.7 acknowledges that the WMCA definition will not be given any planning weight nor is it a material consideration in the decision-making process. However, Coventry City Council ('CCC') will 'encourage' applicants to consider provision against this definition. Barratt supports no weight being given to WMCA's definition and CCC's approach to only 'encourage' compliance with this definition.	Noted.	No Change.
AH33	Savills (on behalf of Barratt)	Section 4	In order to reflect existing housing stock and avoid over-concentration of particular affordable housing tenures, Coventry has been split into areas of low, medium and high concentrations of social housing. New Century Park is located within an area defined by the SPD as 'medium concentration'. Policy H6 requires areas of medium concentration to make provision for 12.5% social / affordable rent and 12.5% intermediate provision. We consider that tenure split should be agreed on a site-by-site basis rather than a blanket requirement and based on any prevailing housing evidence available at the time of the application.	H6 is adopted policy. The table below 4.3 is intended to provide clarity to developers in addressing local need and reflecting local circumstance.	No Change.

AH34	Savills (on behalf of Barratt)	Section 4	<p>Policy H6 does not state how much of the 12.5% needs to be social or affordable rent so it is unclear whether these tenures need to be split equally or whether the split is agreed on a site-by-site basis. Further clarity is requested from CCC on this matter.</p>	<p>The proportion of Social and Affordable rent that is to be provided will be decided on a case-by-case basis, early consultation with Housing Colleagues is advised in relation to this.</p>	No Change.										
AH35	Savills (on behalf of Barratt)	5.9	<p>The table under Paragraph 5.9 (extract below) sets out a preferred affordable housing mix based on the SHMA 2015 and information provided by registered providers which has identified a rising need for family sized affordable housing. The paragraph states that the Council expects the affordable housing mix to accord with the below mix.</p> <table border="1" data-bbox="736 742 1420 817"> <thead> <tr> <th>Affordable</th> <th>1-Bed</th> <th>2-Bed</th> <th>3-Bed</th> <th>4-Bed</th> </tr> </thead> <tbody> <tr> <td></td> <td>20%</td> <td>30%</td> <td>30%</td> <td>20%</td> </tr> </tbody> </table> <p>Barratt do not support the above fixed mix. The PPG states that SPDs should build upon policies in a local plan but “they should not add unnecessarily to financial burdens on development” (Reference ID: 61-008-20190315). The SHMA 2015 provides a percentage range (shown on the table under Paragraph 5.5. of the SPD and below) which we consider provides more flexibility for developers. Paragraph 5.6 is considered to be more flexibly worded than paragraph 5.9 as it states, “the breakdown of needs provided by the SHMA should be the starting point for any discussion with the Council as to the delivery of an appropriate mix of affordable housing”. We consider that the table above should be removed from the SPD and only the SHMA table below should be included. Paragraph 5.9 should then be</p>	Affordable	1-Bed	2-Bed	3-Bed	4-Bed		20%	30%	30%	20%	<p>This section already provides flexibility (see 5.6) in negotiating the mix in a case-by-case basis. It has been written to ensure that current need is better reflected in this SPD.</p>	No Change.
Affordable	1-Bed	2-Bed	3-Bed	4-Bed											
	20%	30%	30%	20%											

			<p>reworded similarly to Paragraph 5.6 to state that the SHMA mix in the below table will be a starting point for discussions, but the final mix will be determined on a site-by-site basis based on market considerations and viability.</p> <table border="1"> <tr> <td>Affordable</td> <td>1-Bed</td> <td>2-Bed</td> <td>3-Bed</td> <td>4-Bed</td> </tr> <tr> <td></td> <td>20-25%</td> <td>30-35%</td> <td>25-30%</td> <td>15-20%</td> </tr> </table>	Affordable	1-Bed	2-Bed	3-Bed	4-Bed		20-25%	30-35%	25-30%	15-20%		
Affordable	1-Bed	2-Bed	3-Bed	4-Bed											
	20-25%	30-35%	25-30%	15-20%											
AH36	Savills (on behalf of Barratt)	5.11	<p>Paragraph 5.11 of the SPD states that the Council promotes the use of Nationally Described Space Standards for affordable housing. The SPD goes on to state “through active dialogue with the Council and registered providers, it is considered that this can be realistically achieved”. When determining the need for internal space standards, the PPG states that evidence of need, impact on viability and transition period should be considered (Reference ID: 56-020-20150327). The Council has not provided any supporting evidence with the draft SPD to support this requirement. Until this evidence is provided to justify the internal space standards, we consider that it should be removed from the SPD.</p>	<p>This is not a requirement; it is a recommendation which aims to encourage the Nationally Described Space Standards (NDSS).</p>	No Change.										
AH37	Savills (on behalf of Barratt)	5.21-5.25	<p>Paragraphs 5.21 to 5.25 of the SPD refer to advanced methods of construction. Paragraph 5.25 states that the Council “will encourage proposals to deliver affordable homes via Advanced Methods of Construction, particularly in cases where it can overcome viability issues and contribute towards achieving high performing, energy-efficient homes”. In terms of delivery, Barratt does not support differing construction requirements for affordable housing. If the Council do pursue this requirement, then it should be applied</p>	<p>This is not a requirement; the recommendation demonstrates the council’s commitment to good practice including Advanced Methods of Construction.</p>	No Change.										

			equally to both affordable and market housing on a site and the Council should provide evidence to ensure that this requirement will not “add unnecessarily to financial burdens on development” (PPG Reference ID: 61-008-20190315).		
AH38	Birmingham Airport		*No comments to make in relation to the SPD*	Noted.	No Change.
AH39	Historic England		*No comment to make in relation to the SPD*	Noted.	No Change.
AH40	Resident – K Whitehead	General	<p>This document appears to have been written for developers so they can maximise their profits and not for Coventry residents.</p> <p>Coventry has a huge need for social housing which means people on benefits can get all of the rent paid for them. Affordable housing may include social housing but doesn't have to. The draft SPD appears to give developers a further option of "Alternative Contribution through an Alternative Location ".</p> <p>From the summary. "It also explains alternative scenarios where the provision of affordable housing is reduced or cannot be delivered at all as well as building and design requirements. It also attempts to simplify the Section 106 Agreement legal process by providing a wording and a template for developers to use. Through this, it is hoped that this SPD will enable more productive negotiations between the Council and applicants wishing to deliver homes in Coventry. This should help make planning applications faster and easier to decide. "</p>	This document has been produced in order to give clarity and certainty in order to maximise the delivery of affordable homes through a variety of channels in compliance with National Policy and Guidance.	No Change.

			Throughout the document there are further way for developers to avoid Council policies on affordable homes.		
AH41	Resident – K Whitehead	7.16	<p>“7.16 The Council will retain the commuted sums on deposit for a period of up to 5 years and if the sum is not used, the amounts will be repaid to the applicant, inclusive of interest.”</p> <p>A developer can build no affordable homes even though that is against Council policy. They do this by putting the right arguments to planning officers, pay the Council the "commuted sum" which if not used in 5 years is returned plus interest. Why should developers build any affordable homes in Coventry?</p> <p>This a document written for developers that when approved, completely ignores the desperate need for social in Coventry.</p> <p>New developments should have a minimum social housing (plus other affordable housing) without any get-out.</p>	This is not the intention; this document has been produced in order to give clarity and certainty in order to maximise the delivery of affordable homes through a variety of channels in compliance with National Policy and Guidance.	No Change.
AH42	Marrons Planning (on behalf on Rainer Developments)	4.4 - 4.5	Paragraph 4.4 of the Draft states that a minimum provision of affordable routes to home ownership are established in the NPPF of at least 10%. Paragraph 4.5 also makes reference to First Homes as an intermediate affordable product, and states that guidance stipulates that 25% of all affordable home provision on any given site must be First Homes.	Noted, the SPD will be updated accordingly.	Footnote outlining the exemptions as detailed in the NPPF added.

			<p>However, paragraph 65 of the Framework states that there are exemptions as to when affordable home ownership should be required on new developments and these are set out underneath paragraph 65. These include developments solely for build to rent homes.</p> <p>In order to provide clarity and consistency with the NPPF, it would be helpful for the final version of the SPD to recognise that intermediate housing is not required on all new developments and that there are exceptions as listed under paragraph 65.</p>		
AH43	Marrons Planning (on behalf on Rainer Developments)	7.7	<p>Finally, paragraph 7.7 onwards of the Draft seeks to apply a greater affordable housing requirement than that required by Policy H6 in circumstances where off site provision is agreed. Policy H6 is clear as to the level of affordable housing required (25%) whether it is on site or off site, and the SPD cannot be used to amend this policy. The Council should remove this section of the SPD as it goes beyond what is allowed for in the Town and Country Planning (Local Planning) (England) Regulations 2012.</p>	The ratio (25%) of affordable housing that is required is maintained where off site provision is agreed, reflecting the uplift in the number of market dwellings that are developed in instances where off-site provision is agreed.	No Change.
AH44	National Highways		*Confirmed that had no comments to make*	Noted.	No Change.
AH45	Pegasus (on behalf of Persimmon Homes Central)	Executive Summary	The Executive Summary makes reference to Social Rent only however the SPD as a whole allows for both social and affordable rent, as does Policy H6 in the adopted Local Plan. The Executive Summary should be amended to refer to both social/affordable rent to avoid any confusion.	Noted, SPD to be updated accordingly to include reference to Affordable Rent.	Made suggested amendment to the wording of the executive summary.

AH46	Pegasus (on behalf of Persimmon Homes Central)	2.7 - onwards	The SPD continues that Coventry City Council (CCC will encourage applicants to consider provision against the WMCA definition, particularly were the WMCA has facilitated delivery of affordable housing through funding and land-release strategy. This is beyond the remit of the planning system and any agreements made between developers and the WMCA to deliver affordable housing is not for the planning system to consider or enforce.	Noted and agreed.	No Change.
AH47	Pegasus (on behalf of Persimmon Homes Central)	2.13	Paragraph 2.13 refers to the spatial element of the affordable housing policy set out in the Local Plan. The aim of this is to ensure that those residents in need of affordable accommodation, wherever their location in Coventry, can be housed in affordable housing. The overarching aspiration of this approach is supported as householders prefer to live close to existing support networks (family and friends) and employment. The SPD should acknowledge that if there are instances where there is no, or low, need for affordable housing in a specific locality a commuted sum will be accepted in order to provide alternative affordable housing in an alternative location with a higher need.	Affordable housing is a city-wide requirement, therefore affordable housing will be provided across the city in line with the Local Plan.	No Change.
AH48	Pegasus (on behalf of Persimmon Homes Central)	Chapter 4	Chapter 4 addresses tenure mix of affordable housing. The required tenure mix varies by area as established by Policy H6 in the adopted Local Plan. The SPD does not seek to alter the tenure mix as established in the Local Plan. This approach is supported and reflects the status of SPDs as material considerations rather than being part of the Development Plan, as the Local Plan is. This Chapter confirms that the 'intermediate' tenure relates to affordable home ownership and that the Government's First Homes initiative can make up the	The table under paragraph 4.3 provides clarification with regards to Intermediate Provision.	

			intermediate affordable provision. The SPD should confirm that intermediate provision includes shared equity. This is included on the draft S106 included at Appendix 2 but should also be referenced in the main text for the avoidance of doubt. This approach is supported and provides helpful clarification that First Homes can be included under the definition of 'intermediate' tenure.												
AH49	Pegasus (on behalf of Persimmon Homes Central)	4.7	The table included after paragraph 4.7 should also refer to affordable rent, as well as social rent. The table presented after paragraph 4.3 includes both social and affordable rent and this approach should be continued.	Noted, table headers at 4.7 to include reference to affordable rent.	Headers of the table below 4.7 updated.										
AH50	Pegasus (on behalf of Persimmon Homes Central)	Chapter 5	<p>At paragraph 5.9, the SPD sets out the preferred affordable mix, based on the SHMA but also makes reference to the city's Housing Register. This table is replicated below:</p> <table border="1" data-bbox="734 922 1417 997"> <thead> <tr> <th>Affordable</th> <th>1-Bed</th> <th>2-Bed</th> <th>3-Bed</th> <th>4-Bed</th> </tr> </thead> <tbody> <tr> <td></td> <td>20%</td> <td>30%</td> <td>30%</td> <td>20%</td> </tr> </tbody> </table> <p>The provision of a mix of affordable housing is supported but there are significant concerns regarding the above mix, particularly the large proportion of 4-bed dwellings. The SHMA was updated in 2015 but the original data was presented in the 2012 SHMA, which presents the proposed mix. This data, which will pre-date the publication of the SHMA, is clearly of some age and is now significantly out-of-date. This will need to be updated through the forthcoming Local Plan Review.</p>	Affordable	1-Bed	2-Bed	3-Bed	4-Bed		20%	30%	30%	20%	Noted, the evidence base (HEDNA) is currently being updated.	No Change.
Affordable	1-Bed	2-Bed	3-Bed	4-Bed											
	20%	30%	30%	20%											

	Pegasus (on behalf of Persimmon Homes Central)	Chapter 5	It should also be noted that the SHMA does not distinguish between different tenures within affordable housing, which often have different mix requirements. For example, for 'intermediate' tenure such as First Homes, two-and three-bedroom dwellings are more popular for first-time buyers as opposed to one-or four-bedroom dwellings. The above mix does not reflect this difference. It is suggested that the future SHMA should look at providing a different mix for the various affordable housing tenures to account for this and that this exercise should be done through the Local Plan Review, rather than an SPD.	Noted, the evidence base (HEDNA) is currently being updated.	No Change.
AH51	Pegasus (on behalf of Persimmon Homes Central)	Chapter 5	The bedroom tax means that claimants receive less in Housing Benefit or Housing Costs Element in Universal Credit if their property is deemed to have one or more spare bedrooms. This came into effect in April 2013. The benefit cap is a limit on the total amount of benefit that a claimant can receive. This came into effect in 2013 and was revised in 2016. These policies have led to an increase in demand for one-bedroom dwellings (bedroom tax) and decrease in demand for four-bedroom dwellings, due to affordability concerns related to the benefit cap. This has led to a significant decrease in demand from Registered Providers for 4-bedroom properties. The SHMA does not reflect the changes in demand resulting from these key national policy changes and therefore cannot be relied upon to guide mix requirements in 2022. This should be done through the Local Plan Review, including a new SHMA, and not pursued through this SPD.	Noted, the evidence base (HEDNA) is currently being updated.	No Change.

			<p>Notwithstanding the above, any mix requirements should be flexible to take account of differences between localities and site-specific factors. The mix should also take account of the various tenure mixes required in different Housing Need Concentration areas. The mix should be tailored to reflect the specific requirements of different Housing Need Concentration areas, for example those areas with a greater proportion of intermediate tenure will likely require more 2-and 3-bedroom properties than those with a greater amount of social/affordable rental provision which will likely have a greater demand for smaller units, including 1-bedroom properties. When the SHMA is updated, it should consider different mixes for different tenure requirements and different localities.</p>		
AH52	Pegasus (on behalf of Persimmon Homes Central)	Paragraph 5.11	<p>At paragraph 5.11 the SPD states that the Council “promotes the use, and reference of, the Nationally Described Space Standards as an initial framework in achieving affordable homes with satisfactory internal living space.” The delivery of well-designed affordable homes with good internal living space is supported and this can be achieved through the application of policies in the Local Plan through the development management process. However, reference to the Nationally Described Space Standards (NDSS) is not supported. National Planning Guidance Housing: optional technical standards (paragraph 020) clearly states that “Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:</p>	<p>This is not a requirement; it is a recommendation which aims to encourage the Nationally Described Space Standards (NDSS).</p>	No Change.

			<ul style="list-style-type: none"> • Need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example to consider any potential impact on meeting demand for starter homes. • Viability –the impact of adopting the space standard should be considered as part of a plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted. • Timing –there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions. <p>It is clear from the above that the introduction of the NDSS requires a Local Plan policy which has been fully evidenced, justified and viability tested. It is not appropriate to introduce the NDSS through an SPD which is not subject to these same requirements and any reference to the NDSS should be removed from the SPD. This should instead be considered through a Local Plan Review and any introduction of the NDSS would need to be based of robust, justified evidence which has been viability tested.</p>		
AH53	Pegasus (on behalf of Persimmon Homes Central)	Paragraph 5.14	The SPD continues to consider the general requirements for the integration of affordable homes within a residential development. Paragraph 5.14 acknowledges	Noted, the detail would be agreed as part of the planning process.	No Change.

			<p>the need for realistic management practices to form part of this process. This is supported and, in practice, means that a certain degree of clustering of affordable dwellings will be acceptable as a requirement of the Registered Providers’ ongoing management.</p>		
AH54	Pegasus (on behalf of Persimmon Homes Central)	6.12	<p>Paragraph 6.12 states that CCC will consider reduced affordable housing provision on redeveloped brownfield sites where developers are able to demonstrate vacancy of more than 12-months, but this is not applicable to buildings that have been abandoned. It is not clear where the 12-month vacancy period has come from as the National Planning Guidance: Planning obligations is clear that vacant building credit applies where the building has not been abandoned (paragraph 28). The PPG does state that it may be appropriate for authorities to consider whether the building has been made vacant for the sole purposes of re-development, but it does not set out any defined time period of vacancy required for a site to benefit from VBC. The PPG states that the policy “is intended to incentivise brownfield development, including the reuse or redevelopment of empty or redundant buildings” (paragraph 28). It does not require buildings to have been vacant for 12 months, indeed this would not contribute towards the policy objective of incentivising brownfield development if sites were required to be left vacant for 12 months before they could qualify for VBC. This reference should be removed from the SPD.</p> <p>If a site meets the requirement to be eligible for Vacant Building Credit (VBC) then national policy states that “developers should be offered a financial credit</p>	Amend Paragraph 6.12 to bring it in line with National Planning Practice Guidance on Vacant Credit and Local Plan Policy. Each application will be considered on a case by case basis.	Amended para 6.12 to reflect national policy and guidance, and adopted Local Plan policy.

			<p>equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought” (National Planning Guidance: Planning obligations, paragraph 026). It is clear that where VBC applies, it is not for the Council to consider reduced affordable housing provision, it should be applied as per the floorspace calculations set out in national policy and the SPD should reflect that.</p>		
AH55	Pegasus (on behalf of Persimmon Homes Central)	Section 7	<p>Section 7 is concerned with alternative contributions. This is also referred to a point 5 of Policy H6 of the adopted Local Plan. The first part of this section sets out that in the first instance, the Council may consider alternative contribution through an alternative location. The SPD sets out that alternative sites should be within a reasonable distance of the development site, in an area with the same or greater need to affordable housing and provide the same advantages and access to amenities and services. This is highly unlikely to be feasible in practice as any alternative site would need to be under the control of the applicant to be available and suitable for development in order to deliver affordable housing. Paragraph 7.6 acknowledges that consideration of alternative locations to provide affordable housing will be on a site by site and proposal by proposal basis. In view of the concerns set out, it is extremely unlikely that any proposed development would be able to take this approach to affordable housing. This should not be the ‘first instance’ approach to off-site affordable housing delivery. This approach would complicate the delivery of affordable housing in the City rather than assisting it which is the overall aim of this SPD. This section should be removed from the SPD.</p>	<p>Noted, SPD to be updated to reflect that this is the council expectation but not a requirement.</p>	<p>Paragraph 7.2 updated.</p>

<p>AH56</p>	<p>Pegasus (on behalf of Persimmon Homes Central)</p>	<p>7.12</p>	<p>The section goes on to consider alternative contribution as a commuted sum. Paragraph 7.12 states that a commuted sum will be considered where alternative delivery opportunities have been clearly and demonstrably exhausted. The adopted Local Plan does not support this approach. The policy clearly prioritises on-site provision unless exceptional circumstances (which could include viability considerations) are demonstrated. The supporting text goes on to state that “Where all options for securing on-site provisions have been explored and exhausted, alternative sites may be proposed, or a financial contribution may be agreed.” (page 56). The Local Plan does not state a preference for either type of off-site affordable provision, nor does it require that alternative sites must be exhausted before a commuted sum is considered. It is inappropriate for an SPD to change this approach to favour alternative sites over commuted sums as this approach should be subject to examination to determine its feasibility and viability. The SPD should reflect the Local Plan and allow for both approaches without expressing a preference for one over the other.</p>	<p>Noted, SPD to be updated to reflect that this is the council expectation but not a requirement.</p>	<p>Paragraph 7.2 updated.</p>
<p>AH57</p>	<p>Pegasus (on behalf of Persimmon Homes Central)</p>	<p>General</p>	<p>There is research from Lichfields which identified a number of benefits in respect of off-site affordable housing. These include increased delivery of affordable housing, ability to bring forward sites that are difficult to deliver, delivery of affordable housing in areas where there is a locally identified need, the potential to secure a more balanced community, empowering LPAs to influence delivery of affordable housing and preservation of listed buildings/redevelopment in Conservation Areas. One of the recommendations of this paper was that LPAs</p>	<p>Research is noted.</p>	<p>No Change.</p>

			<p>should look more favourably on applications where on-site affordable housing is demonstrated as unviable, to accept off-site contributions and the value they can make in the local market in respect of meeting identified housing needs. This research demonstrates that there are benefits to commuted sums for affordable housing which supports the position that an alternative location approach should not be preferred above commuted sums.</p>		
AH58	Pegasus (on behalf of Persimmon Homes Central)	7.15 & 7.21	<p>Section 7 also states that off-site housing affordable housing provision may result in a material benefit to the developer and as such the Council will seek an increased proportion of affordable units on an alternative site or as part of a commuted sum. Paragraph 7.15 acknowledges that this will need to take into account the viability assessment which is supported. In terms of calculating the commuted sum, the Local Plan sets out that this should be calculated by subtracting the residual land value of the site with 25% affordable housing from the residual land value with 100% market housing. Paragraph 7.15 should clarify that the SPD is not seeking to change the approach to calculating the commuted sum as the Planning Obligations PPG is clear that policies for planning obligations should be set out in plans and examined in public, and that it is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in SPDs (Paragraph 004). Paragraph 7.21 sets out a formula for calculating the commuted sum which does not align with the Local Plan. This should be removed from the SPD.</p>	<p>We note the provision of a calculation utilising Residual Land Value in the Local Plan. We believe that the calculation provided in the SPD is both easier to use and provides a more equitable calculation.</p> <p>Notwithstanding we acknowledge that the wholesale removal of the RLV calculation may be considered inappropriate. Instead the SPD will be amended to note that the RLV calculation can still be used if the applicant wishes. Further, in that instance, we will stress that it is the responsibility of the applicant to provide a clear and transparent calculation of Residual Land Value (both with and without the Affordable Housing) which may be subject to external appraisal at the applicants cost, as per established practice with Viability Reports.</p>	Para 7.21 updated

AH59	Pegasus (on behalf of Persimmon Homes Central)	7.19	Paragraph 7.19 acknowledges that in cases where management arrangements cannot be agreed with a Registered Provider for on-site affordable housing, a commuted sum may be accepted as an alternative. This approach is generally supported and provides required flexibility. The Council requires strong and demonstrable evidence to support this but states it can be in any form that can be independently verified. This is most likely to take the form of confirmation from RPs that they cannot agree management arrangements for a site.	Noted, the council requires strong and demonstrable evidence in such cases as set out.	No Change.
	Pegasus (on behalf of Persimmon Homes Central)	8.3	Paragraph 8.3 sets out a list of preferred Registered Providers. This list is too short for this market and should be expanded. The purpose of this SPD is to assist with the delivery of affordable housing in the City. A restrictive list of Registered Providers will work against this aim and could stifle new investment in the City.	Paragraph 8.4 outlines a mechanism for engagement with alternative providers.	No Change.
AH60	Pegasus (on behalf of Persimmon Homes Central)	8.4	Paragraph 8.4 continues that where the developer wishes to offer their affordable housing provision to a Provider not referenced then evidence and details of this provider will need to be made available, including showing whether the provision is deliverable with an alternative RP. It states that it is at the Council's discretion to accept an alternative provider and the preference is to work with the listed RPs. It should be acknowledged that there are circumstances when the listed RPs do not wish to take affordable housing provision at certain sites or there are other issues which mean they cannot take on affordable housing plots. On such occasions, when an alternative provider can be identified to ensure the delivery of on-site affordable provision this should be treated favourably by the Council and the SPD should make this clear.	Noted, the SPD already covers this issue.	No Change.

AH61	Pegasus (on behalf of Persimmon Homes Central)	General	The SPD acknowledges there are a range of other affordable products which are not managed by RPs. These includes private rented accommodated (build to rent), intermediate products (affordable home ownership schemes) and self-build homes. It should be noted that self-build homes meet a different housing need to affordable and are unlikely to be support affordable provision.	Noted, however however some self build and custom build products may well be able to meet the affordable needs of the city (for example where an organisation may wish to deliver some custom build homes which can help address local needs). This would be addressed on a case-by-case basis. Para 8.12 amended to provide more clarity on this point.	Amended para 8.12
AH62	Pegasus (on behalf of Persimmon Homes Central)	Section 9 – s106 template	Persimmon Homes also have comments on the s106 precedent template. The ‘affordable housing commuted sum’ definition is inappropriate and should be amended to reflect the residual land value calculation as set out in the adopted Local Plan. Please refer to our previous comments on Section 7 in relation to this matter.	See response to AH58	
AH63	Pegasus (on behalf of Persimmon Homes Central)	Paragraph 2.1.2	The Affordable Housing Scheme Document set out in the s106 template (paragraph 2.1.2) should not unnecessarily duplicate matters already agreed through the planning consent, for example the location, type, mix, tenures and sizes are all defined and agreed with the Council through full or outline/reserved matters consents. The planning consent should be the approval and any variation to the location, tenure or mix of units should be varied through the planning system and should not require a deed of variation.	The template is indicative, and detail will be dealt with on a case-by-case basis.	No Change.
AH64	Pegasus (on behalf of Persimmon Homes Central)	Paragraph 2.1.5	Paragraph 2.1.5 should be amended so that occupation of market housing units is linked to construction of affordable housing rather than their transfer to a registered provider as this is not in the control of the developer.	The occupation of market dwellings and the transfer of affordable to a Registered Provider are considered comparable metrics and so this clause will remain.	No Change.

AH65	Pegasus (on behalf of Persimmon Homes Central)	2.2.3 & 2.3	Paragraph 2.2.3 refers to circumstances when the owner cannot dispose of the Affordable Housing Units. This should include a defined timeframe for these actions. At paragraph 2.3, which relates to alternative Registered Providers, a timeframe should be set out for a decision from the Council which, if not met, then deemed consent should apply.	The clauses as drafted already provide a clear mechanism for this process.	No Change
AH66	Pegasus (on behalf of Persimmon Homes Central)	Part 6	Part 6 addresses First Homes and should follow the drafting issued by Homes England ² . https://www.gov.uk/government/publications/first-homes-model-section-106-agreement-for-developer-contributions	Part 6 will be updated with the wording released subsequent to the launch of the public consultation.	Section 106 template updated
AH67	Pegasus (on behalf of Persimmon Homes Central)	Conclusions	Overall, it is considered that, in its current form, the SPD includes requirements which will cause issues with the delivery of affordable housing. In particular, sections relating to mix, space standards and off-site contributions should be reviewed. The SPD must comply with national guidance which requires obligations and space standards to be examined through the Local Plan-making process. The SPD should also reflect changes in national housing and welfare policy since the adoption of the Local Plan which have impacted demand for affordable housing, particularly for 1-bed and 4-bed plus properties.	The SPD does not set new space standards, but strongly encourage them. Comments regarding off-site contributions are addressed in previous comments. The SPD is responsive to national and local changes since the adoption of the Local Plan.	No Change.
AH68	Resident – Bridget Harper	Executive Summary	I understand the role of the Local Development Plan 2011-2031 and the National Planning Policy Framework 2021. Integral to this is the City Council made up of elected Councillors and Officers who take decisions on behalf of Coventry citizens from richly diverse communities. These decision makers cannot be expected to act wisely without agreed policy frameworks. They are 'a statement of intent'. If there is no 'planning policy' as	Noted.	No Change.

			stated how can decisions be made by CCC Planning Committee on any issue.		
AH69	Resident – Bridget Harper	General	<p>I am a member of the Council’s Adult Social Care Stakeholders Group and have assisted with the co-ordination of Coventry Older Voices, a Voluntary sector organisation for people over 50. The gradual rise in numbers of people over 60 is well documented highlighting particular housing needs for those, who as they age, are also needing increased support and care for their health and well-being.</p> <p>With respect to any new housing developments for both older people and adults with special needs it is essential for a multi-agency approach throughout the planning and development process. This should also include developers, builders, and service users. To achieve this climate of Co-production, believe there clearly needs to be a total paradigm shift in the culture of Planning departments.</p>	Noted, the stakeholders listed will be invited to participate in any local plan review process, as set out in the adopted statement of community involvement.	No Change.
AH70	Resident – Bridget Harper	Chapter 7	<p>I do have serious concerns regarding ‘Alternative Contributions through an Alternative Location’.</p> <p>Maximising the number of dwellings with an on-site/off-site split could become socially divisive. In every neighbourhood irrespective of the property people live in, services and amenities are for the benefit of the whole community and would not be solely restricted to those in Affordable Housing or those on the main Development site.</p>	Alternative contributions or alternative locations will only be considered once on-site affordable housing has been demonstrated clearly and rigorously to not be achievable.	No Change.
AH71	Resident – Bridget Harper	General	Of greater consideration is the sense of belonging, social cohesion and in the quality of human relationships. This evolves over time in many cases across generations and	Noted.	No Change.

			<p>even whole lifetimes. There are several examples in our City of post-war developments where emphasis on a greater number of dwellings took priority over enabling a better quality of life of new residents. This in turn generated problems for years to come.</p>		
AH72	Watkin Jones Group	General	<p>The NPPG within the 'Build to Rent 'chapter (Paragraph: 001 Reference ID: 60-001-20180913) states "as part of their plan making process, local planning authorities should use a local housing need assessment to take into account the need for a range of housing types and tenures in their area including provisions for those who wish to rent". The Government guidance continues by adding "If a need is identified, authorities should include a plan policy setting out their approach to promoting and accommodating BTR. This should recognise the circumstances and locations where BTR developments will be encouraged –for example as part of large sites and/or a town-centre regeneration area". The SPD makes no reference to appropriate evidence of a BtR needs assessment being undertaken. On this basis it is also unclear how the Council has assessed the affordable housing need of this sector.</p>	<p>The scope of this SPD is limited, as it can only elaborate on Local Plan Policy. However, the evidence base is being updated and will be used to inform the process of local plan review.</p>	No Change.
AH73	Watkin Jones Group	General	<p>It is important to note that the 2017 Local Plan policy for Affordable Housing (Policy H6) does not anticipate the BtR product (the 2012 NPPF was guidance at the time which also did not anticipate BtR) and therefore does not acknowledge the specific viability circumstances of this tenure. At paragraph 2.9, the Council notes that the above policy was set within the housing needs set out at the time (and in line with the 2014 Housing and Homelessness Strategy, and 2015 SHMA). On this basis,</p>	<p>The scope of this SPD is limited, as it can only elaborate on Local Plan Policy. However, the evidence base is being updated and will be used to inform the process of local plan review.</p>	No Change.

			very limited weight can be attached to this policy for assessing BtR developments		
AH74	Watkin Jones Group	Paragraph 1.3	<p>Turning to the affordable housing approach to BtR, by way of context, at paragraph 1.3 the SPD notes the Glossary at Annex 2 of the NPPF, which defines Supplementary Planning Documents. It would be appropriate for the Council to also note Government guidance in the National Planning Practice Guidance—for example (author’s emphasis):</p> <p><i>"Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development."</i> [our emphasis] (reference ID: 61-008-20190315).</p>	Noted.	No Change.
AH75	Watkin Jones Group	General	We consider that the Council’s stated approach towards affordable housing in BtR developments is either confused, or unreasonable/ unviable. Affordable housing in BtR is commonly known as affordable private rent.	Noted, explored in the comments below.	No Change.
AH76	Watkin Jones Group	2.4	<p>Firstly, at paragraph 2.4 of the SPD the Council acknowledges the definition of affordable housing in housing for sale or for rent in the NPPF. This includes:</p> <p><i>"Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents</i></p>	Noted.	No Change.

			<i>(including service charges where applicable)”;[our emphasis]</i>		
AH77	Watkin Jones Group	Page 12	<p>At page 12 (related to paragraph 4.3) the summary of tenures and locational factors states for Affordable Private Rent (Built to Rent/PRS), it states:</p> <p><i>“Affordable rental homes made available at least 80% discount on market rate. Products made available directly by developer, with ongoing management and operations maintained by the developer. Perpetuity secured by legal agreement.”</i></p> <p>The above policy is substantially different to National Policy without the provision of any shared evidence or financial assessment. It is also contrary to the statement that appears at paragraph 9.3 which refers to implementation and Section 106 Agreements. This paragraph states that such Agreements:</p> <p><i>“will also establish that rental levels, services charges and other costs associated with shared ownership are, and remain, affordable. These costs should reflect a material discount from the general market rate, of at least 20% as a minimum discounted rate”.</i></p> <p>The statement at page 12 is also contrary to the SPD’s Appendix 2, where the Council define “Affordable Private Rented Housing” (elsewhere the Council uses the phrase “affordable private rent”) as:</p> <p><i>“housing let by a landlord who is not a Registered Provider which is subject to a rent of no more than 80%</i></p>	The SPD has been updated to rectify this mistake.	The table underneath paragraph 4.3 corrected to reflect the fact that Affordable rental homes should be made at least 20% discount on market rate.

			<p><i>of the local Market Rent (including Service Charges, if any) and is to remain as such in perpetuity”</i></p> <p>Indeed, the Council’s policy for Social Rent/Affordable Rent is set out in the table as:</p> <p><i>“Affordable Rent is no more than 80% of market rent and includes the service charge, if applicable”</i></p> <p>This would suggest that the approach towards BtR affordable private rent is at a substantially greater discount than social rent –again without any justification.</p>		
AH78	Watkin Jones Group	General – Policy H6	<p>Policy H6 incorrectly anticipates both social/affordable rental and intermediate accommodation to be included within BtR development proposals, rather than discounted market rent alone. This could be usefully clarified by the SPD.</p> <p>We therefore strongly request that the Council sets out clearly that the affordable element of BtR should be as contained in the NPPF until such time that the Council undertakes further need and viability assessment as part of a statutory development plan document process. Until such time, the draft document does not provide the “clear and understandable advice” as anticipated in the SPD’s Executive Summary.</p>	The SPD has been updated in line with National Planning Policy and Planning Policy Guidance in order to provide clarity on the affordable housing requirement associated with Build to Rent developments.	Chapter 5 to updated to provide clarity on affordable housing requirements associated with Build to Rent developments.
AH79	Watkin Jones Group	Appendix 2 (Page 38)	At page 38 (Appendix 2) of the SPD the Council sets out the expected “Build to Rent Housing Strategy”. It stated means is a strategy that relates to Market Housing Units that are proposed to be Occupied as Build to Rent Housing and which must include:	This requirement will be amended so that is clear that the requirement is meant only for the affordable private rent units coming forward within the Build to Rent scheme. The local marketing is required to ensure	Build to Rent Housing Strategy Definition updated

			<p><i>“(a) Local marketing to be adopted within the city of Coventry for the first 3 months;”</i></p> <p>Firstly, it is not clear what this requires from promoters of BtR. However, it would be unreasonable to suggest that the only residents within the Council were able to access any new accommodation, or indeed that marketing would not be permitted outside of the City. This therefore requires further evidence to support any staged local marketing process, which would otherwise not accord with any national policy.</p>	that all affordable units are promoted to alleviating the affordable housing need within the city.	
AH80	Watkin Jones Group	5.9 – 5.10	At paragraph 5.9 the Council discusses the range of unit sizes that should be targeted in affordable housing provision. Whilst recognising flexibility in the application of this, it should be specifically recognised in the SPD at paragraph 5.10 that flexibility might also be reasonable for BtR developments which commonly offer a greater mix of smaller unit sizes	Such arguments need to be brought forward by applicants on a case-by-case basis.	No change
AH81	Watkin Jones Group	4.5 – 4.6	At paragraphs 4.5-4.6 the Council discusses First Homes policy. In accordance with the NPPF (paragraph 65), the guidance should make it clear that First Homes expectation should not apply to exclusively BTR developments, or other forms of specialist accommodation.	Noted and agreed, the SPD has been updated to reflect this.	Footnote outlining exemptions to the requirement of 10% Intermediate provision added to page 13.
AH82	Watkin Jones Group	General – Co-living	We welcome the support for this specific product in the City which can offer a more affordable proposition with	This is covered in Section 6 of the SPD.	No Change.

			the added benefit of local community. Off-site contributions in lieu of affordable housing on-site is a common approach and is welcomed. However, the policy should make it clear that development viability will be taken into account when assessing the appropriate levels of financial payment.		
AH83	Watkin Jones Group	Conclusion	We strongly believe that the Council needs a clear policy in respect of BtR in terms of establishing need; the approach to affordable housing (specifically, the discounted market rent tenure); and clarity around other aspects of national policy for the reasons set out in this representation. In the absence of supporting evidence of need and the lack of viability testing it would be unreasonable to do more than reflect the national policy approach within this Supplemental Planning Document. This is particularly important given the current lack of BtR experience of such matters in the local planning authority, and that the BtR market has yet to be proven for the City.	Noted, the evidence base is in the process of being updated to inform any future policy change (which would be beyond the scope of this SPD). The SPD will be updated to reflect National Policy regarding Build to Rent.	Amendments made to the table at 4.3, para 17, para 5.19 (add in new para 5.20) to provide clarity on BtR.

Strategic Environmental Assessment Screening:

Comment Reference	Respondent	Page/Para Reference	Consultation Response	Officer Summary	Proposed Change to SPD
AH – SEA1	Natural England	General	A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a	Noted.	None.

			<p>Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p> <p>It is our advice, on the basis of the material supplied with the consultations, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plans.</p> <p>Natural England therefore agrees with your conclusions that an SEA is not required for the separate SPD's.</p>		
AH – SEA2	Historic England		<p>With regard to the Affordable Housing SPD SEA Screening Opinion, in terms of Historic England's area of interest, given the nature of the SPD, we would concur with your assessment that the document is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing Policies contained within the adopted Coventry City Council Local Plan which has already been subject to a Sustainability Appraisal/SEA. As a result, we would endorse the Authority's conclusions that it is not necessary to undertake a Strategic Environmental Assessment of this particular SPD. However, the views of the other three statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made.</p>	Noted.	None.

APPENDIX 3

Strategic Environmental Assessment of the Affordable Housing Supplementary Planning Document

Coventry City Council

Strategic Environmental Assessment Screening Assessment

February 2022

1. Introduction

- 1.1 This screening report has been produced to consider whether the Affordable Housing Supplementary Planning Document (SPD) prepared by Coventry City Council should be subject to a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, as amended by The Environmental Assessments and Miscellaneous Planning (Amendment)(EU Exit) Regulations.
- 1.2 Paragraph: 008 of the Planning Guidance¹ states that supplementary planning documents may in exceptional circumstances require SEA if they are likely to have significant environmental effects that have not already been assessed during the preparation of the relevant strategic policies. This screening statement considers whether there are any impacts which have not already been assessed within the Coventry Local Plan which was adopted on 6th December 2017², and determines whether or not SEA is needed for this SPD.

2. The Affordable Housing SPD: Context

- 2.1 The Draft Affordable Housing SPD sets out further detail on existing policies contained within the Coventry City Council Local Plan, in particular Policy H6: Affordable Housing. The Local Plan is the City Council's statutory planning framework which sets out how and where new homes, jobs, services and infrastructure will be delivered and the type of places and environments that will be created, enhanced and protected.
- 2.2 Delivering sufficient affordable homes over the Plan period to 2031 is a key objective of the adopted Coventry Local Plan. The aim of this SPD is to facilitate the delivery of affordable homes as set out in the plan and in compliance with the most up to date national policy as set out in the National Planning Policy Framework
- 2.3 The additional guidance provided within the SPD sets out the different types of affordable housing as defined by Government and provides the detail on how these should be delivered. This includes setting out the process in agreeing affordable housing delivery, affordability types and tenures, dwelling design, management structures and Section 106 Agreements for securing delivery.

3. The Screening Process

- 3.1 The screening assessment is undertaken in two parts: the first will assess whether the SPD requires screening for SEA and the second part of the assessment will consider whether the SPD is likely to have a significant effect on the environment, using criteria drawn from Schedule 1 of the SEA Regulations.

¹ Reference ID: 11-008-20140306

² <https://www.coventry.gov.uk/localplan>

Table 1: Is SEA screening required?

Environmental Regulations Paragraph detail	Comments
<p>2.(1) In these Regulations- [...] "plans and programmes" means plans and programmes, including those co-financed by the European Community, as well as any modifications to them, which— (a) are subject to preparation and adoption by an authority at national, regional or local level; (b) are prepared by an authority for adoption, through a legislative procedure by Parliament or Government; and, in either case, (c) are required by legislative, regulatory or administrative provisions</p>	<p>Yes, this applies.</p> <p>The SPD is subject to preparation and adoption at local level. Whilst the SPD is not a requirement and is optional under the provisions of the Town and Country Planning Act it will, if adopted, supplement the development plan and be a material consideration in the assessment of planning applications.</p>
<p><u>Environmental assessment for plans and programmes: first formal preparatory act on or after 21st July 2004</u> 5.(2) The description is a plan or programme which— (a) is prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and (b) sets the framework for future development consent of projects listed in Annex I or II Directive 2011/92/EU(4) of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment.</p>	<p>Yes, this applies.</p> <p>The SPD is prepared for town and country planning purposes. It supplements the planning policy framework of the Coventry City Local Plan, by providing detailed guidance as to how these policies are interpreted for future consent of projects listed in Schedule II of Directive 2011/92/EU(4).</p>
<p>3) The description is a plan or programme which, in view of the likely effect on sites, has been determined to require an assessment pursuant to Article 6 or 7 of the Habitats</p>	<p>No this does not apply.</p> <p>The SPD is not likely to affect sites and has been determined not to require an assessment pursuant to any law that</p>

<p>Directive.</p>	<p>implemented Article 6 or 7 of the Habitats Directive.</p> <p>Habitat Regulations Assessment is not required. The Habitat Regulation Assessment undertaken in 2016 for the Coventry City Local Plan concluded that the plan would not cause a negative effect alone or in combination with other plans. The SPD does not provide any guidance which alters the impact of the policy on designated sites.</p>
<p>6) An environmental assessment need not be carried out— (a)for a plan or programme of the description set out in paragraph (2) or (3) which determines the use of a small area at local level, or (b)for a minor modification to a plan or programme of the description set out in either of those paragraphs,</p>	<p>Yes, this applies.</p> <p>The SPD provides further detail on the implementation of affordable housing policy within the adopted Local Plan. This applies to the whole administrative area of Coventry City Council.</p>
<p><u>Determinations of the responsible authority³</u> 9.—(1) The responsible authority shall determine whether or not a plan, programme or modification of a description referred to in— (a)paragraph (4)(a) and (b) of regulation 5; (b)paragraph (6)(a) of that regulation; or (c)paragraph (6)(b) of that regulation, is likely to have significant environmental effects. (2) Before making a determination under paragraph (1) the responsible authority shall— (a)take into account the criteria specified in Schedule 1 to these Regulations; and (b)consult the consultation bodies.</p>	<p>This screening opinion has been prepared using the criteria specified in Schedule 1 as presented in Table 2.</p> <p>The statutory bodies (Natural England, Historic England and the Environment Agency) are to be consulted as required.</p>

³ “Responsible authority”, in relation to a plan or programme, means the authority by which or on whose behalf it is prepared (Regulation 2(1)(a))

Table 2: will the SPD have a significant effect on the environment⁴

SEA requirement	Comments
1: The characteristics of plans and programmes, having regard, in particular, to	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The SPD has a minor role in setting the framework for projects. While the SPD forms a material consideration in decisions on planning applications, it has no influence on the location or volume of projects nor does it allocate resources.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The SPD does not create new policies but will support the policies in the adopted Local Plan. Other plans and programmes may outlive the SPD and during their preparation will be steered by national legislation and policy.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The purpose of the SPD is to provide guidance to support the affordable housing policy of the adopted Local Plan. The Local Plan SA/SEA assessed this. The purpose of the SPD is to ensure these beneficial impacts of that policy are delivered and maintained which contributes to promoting sustainable development.
(d) environmental problems relevant to the plan or programme; and	There are no environmental problems relevant to this SPD: it elaborates adopted Local Plan policy.
(e) the relevance of the plan or programme for the implementation of retained EU law on the environment (for example, plans and programmes linked to waste management or water protection).	The SPD has no relevance to the implementation of retained EU law.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—	
(a) the probability, duration, frequency and reversibility of the effects;	The SPD is not allocating sites for development. The SPD is to provide guidance for the application and implementation of the policies in

⁴ As set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004

	the adopted Local Plan and is not expected to give rise to any significant environmental effects.
(b) the cumulative nature of the effects;	The SPD is not considered to have any significant cumulative effects. As the document provides further guidance to adopted local plan policies, but does not set policies itself, it cannot contribute to cumulative impacts in combination with the Local Plan.
(c) the transboundary nature of the effects;	There are no transboundary effects as this SPD relates to the Coventry City Council area only. Any potential significant transboundary environmental effects have already been assessed as part of the local plan's sustainability appraisal, the Habitat Regulations Assessment and the plan's examination process.
d) the risks to human health or the environment (for example, due to accidents);	The SPD poses no risk to human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The SPD relates to Coventry City Council's administrative area only.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use;	The SPD relates to the Coventry City Council area only; as no development is proposed via the SPD, which elaborates on existing policy, none of these are likely to be affected by the SPD. Any site-specific matters would be addressed through a planning application specific to an individual proposal.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	The SPD relates to the Coventry City Council area only; as no development is proposed via the SPD, which elaborates on existing policy, none of these matters are likely to be affected by the SPD. Any site-specific matters would be addressed through a planning application specific to an individual proposal.

4. Conclusion and Screening Recommendation

4.1 This screening assessment identifies that the SPD will provide guidance to support the affordable housing policy of the Coventry City Council adopted Local Plan. It is concluded that the SPD is unlikely to have significant environmental effects and therefore that Strategic Environmental Assessment is not required. The three statutory bodies (Natural England, Historic England and the Environment Agency) were consulted between 30th November 2021 and 18th January 2022. Natural England and Historic England confirmed that SEA is not required. No response was received from the Environment Agency.



Title of EIA		EIA Affordable Housing SPD
EIA Author	Name	Clare Eggington
	Position	Principal Town Planner (Planning Policy)
	Date of completion	04/02/2022
Head of Service	Name	David Butler
	Position	Head of Planning Policy and Environment
Cabinet Member	Name	Councillor David Welsh
	Portfolio	Housing and Communities

EIA	<ul style="list-style-type: none"> • Having identified an EIA is required, ensure that the EIA form is completed as early as possible. • Any advice or guidance can be obtained by contacting Jaspal Mann (Equalities) or Hannah Watts (Health Inequalities)
Sign Off	<ul style="list-style-type: none"> • Brief the relevant Head of Service/Director/Elected Member for sign off • Have the EIA Form ready for consultation if it is required • Amend according to consultation feedback and brief decision makers of any changes
Action	<ul style="list-style-type: none"> • Implement project / changes or finalise policy/strategy/contract • Monitor equalities impact and mitigations as evidence of duty of care

PLEASE REFER TO [EIA GUIDANCE](#) FOR ADVICE ON COMPLETING THIS FORM

SECTION 1 – Context & Background

1.1 Please tick one of the following options:

This EIA is being carried out on:

- New policy / strategy
- New service
- Review of policy / strategy
- Review of service
- Commissioning
- Other project (please give details) *Supplementary Planning Document for Affordable Housing*



1.2 In summary, what is the background to this EIA?

The Affordable Housing Supplementary Planning Document (SPD) adds further details to the Local Plan which was adopted on 6th December 2017 and for which EIA was undertaken. SPDs do not introduce new policy, but provide further detail and guidance to enable the delivery of adopted policies.

Delivering sufficient affordable homes over the Plan period to 2031 is a key objective of the adopted Coventry Local Plan. The aim of this SPD is to facilitate the delivery of affordable homes as set out in the plan and in compliance with the most up to date national policy as set out in the National Planning Policy Framework.

The additional guidance provided within the SPD sets out the different types of affordable housing as defined by Government and provides the detail on how these should be delivered. This includes setting out the process in agreeing affordable housing delivery, affordability types and tenures, dwelling design, management structures and Section 106 Agreements for securing delivery.

1.3 Who are the main stakeholders involved? Who will be affected?

Developers who are required to deliver affordable housing, providers of affordable housing, and those members of the community who need to access affordable homes. The National Planning Policy Framework (NPPF) defines affordable housing as 'housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/ or is for essential local workers)'. Further detail on the definition can be found here <https://www.gov.uk/government/publications/national-planning-policy-framework--2> : this includes detail on the different types of product including affordable housing for rent, starter homes, discounted market sales housing and other affordable routes to home ownership.

1.4 Who will be responsible for implementing the findings of this EIA?

Coventry City Council Planning Policy Service

SECTION 2 – Consideration of Impact

Refer to guidance note for more detailed advice on completing this section.

In order to ensure that we do not discriminate in the way our activities are designed, developed and delivered, we must look at our duty to:



- Eliminate discrimination, harassment, victimisation and any other conflict that is prohibited by the Equality Act 2010
- Advance equality of opportunity between two persons who share a relevant protected characteristic and those who do not
- Foster good relations between persons who share a relevant protected characteristic and those who do not

2.1 Baseline data and information

Please include a summary of data analysis below, using both your own service level management information and also drawing comparisons with local data where necessary (go to <https://www.coventry.gov.uk/factsaboutcoventry>)

The Local Plan was formulated using detailed evidence including a Strategic Housing Market Assessment. The Local Plan was independently examined by a Planning Inspector to ensure that its policies were robust and formulated using appropriate evidence before it could be sound and capable of adoption. Further detail on the Local Plan and the evidence base can be found here <https://www.coventry.gov.uk/localplan>

This SPD details how the policy will be delivered, setting out the process in agreeing affordable housing delivery, affordability types and tenures, dwelling design, management structures and Section 106 Agreements for securing delivery.

2.2 On the basis of evidence, complete the table below to show what the potential impact is for each of the protected groups.

- Positive impact (P),
- Negative impact (N)
- Both positive and negative impacts (PN)
- No impact (NI)
- Insufficient data (ID)

**Any impact on the Council workforce should be included under question 2.6 – not below*

Protected Characteristic	Impact type P, N, PN, NI or ID	Nature of impact and any mitigations required
Age 0-18	P	Affordable housing is aimed at those whose needs are not met by the market. Whilst those aged 0-18 would generally not be directly able to access affordable products, many will live in households where their parents and carers will not be able to afford open



		market homes and thus they will indirectly benefit from the policy. 22.5% of children live in low income families which is above the regional and national average (20.2% and 17% respectively) ¹
Age 19-64	P	Affordable housing is aimed at those whose needs are not met by the market. The average gross disposable household income for Coventry is below the regional and national average (£15,353 per head per annum compared to £18,222 and £21,609 respectively in 2018), and the average house price was £185,000 (October 2019 to September 2020 figures). Currently the claimant count stands at 15,320 (ONS July 2021) compared to 8,000 in March 2020. As well as the affordable housing for rent product, the government is promoting a variety of routes to home ownership including starter homes and discounted market sales housing which are most likely to apply to this age group.
Age 65+	P	See above in terms of disposable household income and average house prices. Some affordable housing products (as defined by the Government in the National Planning Policy Framework) will be applicable depending upon the individual / household circumstances
Disability	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances
Gender reassignment	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances
Marriage and Civil Partnership	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances
Pregnancy and maternity	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances
Race (Including: colour, nationality, citizenship ethnic or national origins)	ID	No direct impact although Coventry has a diverse population and affordable products will be applicable depending upon the individual / household circumstances
Religion and belief	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances
Sex	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances

¹ <https://www.gov.uk/government/statistics/children-in-low-income-families-local-area-statistics-201415-to-201819>



Sexual orientation	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances
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HEALTH INEQUALITIES

2.3	<p>Health inequalities (HI) are unjust differences in health and wellbeing between different groups of people which arise because of the conditions in which we are born, grow, live, work and age. These conditions influence our opportunities for good health, and result in stark differences in how long we live and how many years we live in good health.</p> <p>Many issues can have an impact: income, unemployment, work conditions, education and skills, our living situation, individual characteristics and experiences, such as age, gender, disability and ethnicity</p> <p>A wide range of services can make a difference to reducing health inequalities. Whether you work with children and young people, design roads or infrastructure, support people into employment or deal with welfare benefits – policy decisions and strategies can help to reduce health inequalities</p> <p>Please answer the questions below to help identify if the area of work will have any impact on health inequalities, positive or negative.</p> <p>If you need assistance in completing this section please contact: Hannah Watts (hannah.watts@coventry.gov.uk) in Public Health for more information. More details and worked examples can be found at https://coventrycc.sharepoint.com/Info/Pages/What-is-an-Equality-Impact-Assessment-(EIA).aspx</p>
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Question	Issues to consider	
2.3a What HIs exist in relation to your work / plan / strategy	<ul style="list-style-type: none"> • Explore existing data sources on the distribution of health across different population groups (<i>examples of where to find data to be included in support materials</i>) • Consider protected characteristics and different dimensions of HI such as socio-economic status or geographical deprivation 	
		<p>Response: The Affordable Housing SPD supplements the policies of the adopted Local Plan which was subject to Health Impact Assessment. The Health and Wellbeing chapter of the plan, which includes Policy HW1, requires Health Impact Assessments for particular types and scale of development where there could be significant impacts. See https://www.coventry.gov.uk/localplan This was supplemented by a Health Impact</p>



Assessment SPD which provided further detail and guidance including that in relation to affordable housing. See https://www.coventry.gov.uk/downloads/file/28900/health_impact_assessment_spd

2.3b How might your work affect HI (positively or negatively).

How might your work address the needs of different groups that share protected characteristics

Consider and answer below:

- Think about whether outcomes vary across groups and who benefits the most and least, for example, the outcome for a woman on a low income may be different to the outcome for a woman a high income
- Consider what the unintended consequences of your work might be

Response:

- a. Potential outcomes including impact based on socio-economic status or geographical deprivation

The Health Impact Assessment SPD referred to above includes the following:

Category 1: Housing Quality and Design

Access to decent and adequate housing is critically important for health and wellbeing, especially for the very young and very old. Environmental factors, overcrowding and sanitation in buildings as well as unhealthy urban spaces have been widely recognised as causing illness since urban planning was formally introduced. Post-construction management also has an impact on community welfare, cohesion and mental wellbeing.

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> • Accessible and adaptable dwellings • Internal space standards, orientation and layout • Affordable housing and dwelling mix • Energy efficiency • High Quality Design 	A lack of affordable housing within communities may compromise the health of low-income residents as they are likely to spend more on housing costs and less on other daily living needs.	Making provision for affordable housing has the potential to improve wellbeing, while housing quality can be improved by use of appropriate construction methods. This includes use of good materials for noise insulation and energy-efficiency, and detailed design considerations to make sure that homes are accessible, adaptable and well oriented.	<ul style="list-style-type: none"> • AC2: Road Network • DE1: Ensuring High Quality Design • DS3: Sustainable Development Policy • EM2: Building Standards • EM5: Sustainable Drainage Systems SuDS • H3: Provision of New Housing • H4: Securing a Mix of Housing • H5: Managing Existing Housing Stock • H6: Affordable Housing • H8: Care Homes, Supported Housing, Nursing Homes and Older Persons accommodation
	Poor choice of location, design and orientation of housing developments can be detrimental to physical and mental health.	Providing a sufficient range of housing tenures with good basic services is also essential. Adaptable buildings for community uses such as health, education and leisure can contribute towards a sustainable community.	
	The quality of design, including internal sound insulation, daylighting and provision of private space can influence the health and wellbeing of occupiers.	Providing adaptable homes allows residents to remain in their home despite changing accommodation requirements. In this context, adaptable housing allows care to be	

		provided in the community more easily.	<ul style="list-style-type: none"> • Sustainable Urban Extension Design Guide SPD
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- b. Potential outcomes impact on specific socially excluded or vulnerable groups eg. people experiencing homelessness, prison leavers, young people leaving care, members of the armed forces community.

Ensuring access to a range of affordable housing products to meet a range of needs and circumstances is a key aim of the Local Plan housing policies and the SPD provides the further detail to ensure that policy can be delivered.

Whilst the SPD cannot directly influence the detail of the end-user of the product (as this is for the registered providers / developers who deliver the products to determine in terms of prioritisation and access to the product), Policy H6 of the Local Plan (upon which this SPD elaborates) sets the context for deciding what type of affordable housing product would be more appropriate in a particular area of the city. For example, Policy H6 requires an affordable tenure split of 10% Social/Affordable Rent and 15% Intermediate Provision in areas with existing high concentrations of social housing. This is to both ensure that there is no over-concentration of social rent, but also to promote affordable home ownership in areas where there is a shortfall of opportunity to get on the housing ladder. This will therefore positively benefit first time buyers on low incomes.

Policy H6 of the Local Plan sets out the context, and the SPD provides the detail for ensuring that the developer delivers an appropriate type of affordable product and that this is then secured via legal agreement.

2.4 Next steps - What specific actions will you take to address the potential equality impacts and health inequalities identified above?

This was considered through the Local Plan (the 'parent document'), this document provides the detail to ensure the Local Plan policies can be delivered effectively. The Local Plan (Policy H6) requires that developers should provide 25% of all dwellings as affordable homes (on developments of 25 homes or more or on sites larger than 1ha) unless robust evidence is given to demonstrate a lower figure or an alternative means of delivery.

The government's definition of 'affordable housing' in a planning context (as set out in the National Planning Policy Framework glossary) is very broad and includes affordable housing for rent, starter homes, discounted market sales housing and 'other affordable routes to home ownership'

To ensure the delivery of homes that are affordable for members of every community within Coventry, the city's affordable housing policy H6 also responds to spatial considerations that reflect the existing housing stock in areas of the city. This is to avoid over-concentration of particular tenures of affordable housing to secure diverse communities and also to provide homes in areas of the city where the market cannot.

It is the objective of Policy H6 to promote varying tenure mixes in the city to ensure that residential proposals more appropriately reflect their locations in Coventry. For example, Policy H6 requires an



affordable tenure split of 10% Social/Affordable Rent and 15% Intermediate Provision in areas with existing high concentrations of social housing. This is to both ensure that there is no over-concentration of social rent, but also to promote affordable home ownership in areas where there is a shortfall of opportunity to get on the housing ladder. This will therefore positively benefit first time buyers on low incomes.

In addition to the housing types and tenures the SPD also makes recommendations in terms of securing appropriate design and space standards to ensure that the occupants are fully integrated into the wider community

The SPD elaborates on adopted Policy H6 and provides detailed guidance for developers to ensure that affordable housing of an appropriate type and tenure is delivered in relation to the part of the city to which the application relates in order to meet the needs of those communities. Once that detail has been agreed with the Council’s housing, planning and legal teams (which would be on a case by case basis at that stage) the commitment to deliver would be secured via a Section 106 legal agreement.

2.5 How will you monitor and evaluate the effect of this work?

The Local Plan already includes monitoring indicators which keep track of how much affordable housing is delivered annually. However, the SPD provides clarity to the process which will assist with more efficient delivery. The S106 legal agreements are monitored so it can be seen where contributions are being secured. However there is scope to improve the monitoring process and this is an action which will be undertaken by the planning policy team to consider moving forwards. In terms of the outcomes of further monitoring, if there are issues which are emerging, this can then be fed into a review of the wider local Plan policies.

2.6 Will there be any potential impacts on Council staff from protected groups?

No

You should only include the following data if this area of work will potentially have an impact on Council staff. This can be obtained from: lucille.buckley@coventry.gov.uk

Headcount:

Sex:

Age:

Female	
Male	



Coventry City Council

16-24	
25-34	
35-44	
45-54	
55-64	
65+	

Disability:

Disabled	
Not Disabled	
Prefer not to state	
Unknown	

Ethnicity:

White	
Black, Asian, Minority Ethnic	
Prefer not to state	
Unknown	

Religion:

Any other	
Buddhist	
Christian	
Hindu	
Jewish	
Muslim	
No religion	
Sikh	
Prefer not to state	
Unknown	

Sexual Orientation:

Heterosexual	
LGBT+	
Prefer not to state	
Unknown	

3.0 Completion Statement

As the appropriate Head of Service for this area, I confirm that the potential equality impact is as follows:

- No impact has been identified for one or more protected groups
- Positive impact has been identified for one or more protected groups
- Negative impact has been identified for one or more protected groups
- Both positive and negative impact has been identified for one or more protected groups

4.0 Approval

Signed: Head of Service:	Date:
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Name of Director:	Date sent to Director:
Name of Lead Elected Member:	Date sent to Councillor:

Email completed EIA to equality@coventry.gov.uk