

## Affordable Housing SPD – Representation Statement

No.	From	Section of SPD or SA	Summary of Representation	Council's Response	Council's Recommendation
01	Enabling UK	General	I fully support the 50% provision in planning terms... my only worry is that this might 'hit' the land values on smaller schemes so much as to make many small to mid sized scheme unviable... this might lead to many windfall sites being lost... Also, you will get distortions with many schemes with 9 dwellings coming in and then a jump up to 20 or more. I'd be interested to know whether you have taken account of these distortions - which might lead to reduced housing supply - and how they can be factored in to the new policy.	The Council welcomes this support for the UDP policy. It should be noted that the 2004 London Housing Capacity Study showed that 83% of the Boroughs housing supply will be from large sites.	No change
02	The Planning Bureau – McCarthy & Stone	General	Although there is a section on calculating the provision of Affordable Housing, there isn't really any clarity. As McCarthy and Stone build Sheltered Housing, the provision, if any, is calculated differently because of the benefits it brings, i.e. less parking needed, higher density etc... Thereby there is no mention of financial amounts or densities that may be required from these types of developments.	The Council considers that the SPD provides clear and concise guidance to housing developers including providers of sheltered accommodation. The SPD refers to sheltered units at Para 5.2.	No change
03	The Planning Bureau – McCarthy & Stone	General	There is not any mention of parking provisions for Affordable Housing. Do we need to design for 1 per dwelling or even more?	The Council applies the residential parking standards as set out in the UDP to all tenures.	No change
04	Alvin Ormonde	Para 7.1	If it is the intention that the Affordable Housing policy “bites” on extensions and roof conversions and this document is still in the consultation period I strongly suggest that it clearly makes reference to the inclusion of such proposals.	The Council considers that If extensions or conversions result in the creation of new units which meet the criteria set in policy H5 then affordable housing provision will be required.	Change Amend 3 <sup>rd</sup> sentence of para 7.1 as follows: 'Where a proposal involves redevelopment (including extensions and conversions) of an existing residential

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					site....'
05	Transport For London	Para.8.6	Transport For London (TFL) is keen to ensure that the level of parking provided for all affordable housing developments is in line with the Mayor's Parking standards contained in the London Plan (Annex 4). Although there are no London Plan policies directly relating to parking for 'affordable' housing, Transport For London would like to see the SPD explore the feasibility of providing lower standards at these developments. This is on the basis that car ownership may be lower for affordable housing occupants than for open market residents.	The Council applies the residential parking standards as set out in the UDP to all tenures.	No change
06	Transport For London	General	LB Barnet should be aware that Transport For London will shortly be producing a best practice guidance document on residential travel plans, which are becoming increasingly significant to large-scale developments. Transport For London would like to see reference being made of this in the final SPD.	The Council looks forward to the publication of the Best Practice Guidance on Residential Travel Plans and considers that any reference to it, following publication, would be more appropriate in the forthcoming SPD on Sustainable Development.	No change
07	Andrew Dismore MP House of Commons	General	There needs to be a significant improvement in the amount of social housing available for rent. The Council through the SPD and when deciding individual applications, to require social housing to be provided at least to the extent required by the London Mayor. This is a minimum requirement.	See response to Barnet Labour Group	No change
08	Countryside Agency	General	The Countryside Agency supports the Council's efforts to obtain Affordable Housing on future development proposals for the benefit and betterment of its residents.	The Council welcomes this support.	No change
09	Countryside Agency	Para 1.10	Council may wish to consider the Countryside Agency's recommendation on Open Space provision	This is not a matter for the Affordable Housing SPD.	No change
10	Countryside Agency	General	The Agency welcomes the consideration of the Council for flatted developments as well as live/work units.	The Council welcomes this support.	No change
11	Countryside Agency	Para 6.1	The threshold details paragraph 6.1 is welcomed and is clear and unambiguous.	The Council welcomes this support.	No change
12	Countryside Agency	Para 11.0	Recommendation that developer use Trainees on the Construction Training Initiative or similar scheme to assist the unemployed people into the construction industry is welcomed.	The Council welcomes this support.	No change

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13	Countryside Agency	Sustainability Appraisal	The Sustainability Appraisal report adequately assesses the likely significant environmental effects.	The Council welcomes this support.	No change
14	Countryside Agency	Sustainability Appraisal	Broadly supportive of objectives especially objective 10 – To maintain and enhance the quality of green spaces	The Council welcomes this support.	No change
15	English Heritage	Sustainability Appraisal	When considering providing new affordable housing consideration should be given to its impact upon the historic environment, whether a new build within a sensitive location or a conversion of an existing historic asset. At present the objectives defined do not consider these particular issues.	This concern can be addressed within the SA. Reference has been added to the Creating High Quality New Homes.	Change. Amend SA as follows at Para 3.3  Consideration should be given to the impact of development upon the historic environment.
16	English Heritage	Sustainability Appraisal	The historic environment is not being considered as an objective on which to test the emerging SPD, and it is strongly recommended that this be demonstrated within the SA report.	This concern can be addressed within the SA.	Change. Amend SA as follows
17	English Heritage	<b>General</b>	Generally we support the SPD but would encourage you to ensure that the implication of its important policy document does not adversely affect or undermine the historic, physical and social value of the historic environment. All developments need to respect this objective and proposal should only be accept if they are accompanied by robust design statements considering the historic environment in the development of design solutions. If relevant and available Conservation Area Appraisals and Management Plans should be considered as part of the design process.	A key theme of the SPD is securing a high quality of design. The requirement for Design and Access Statements and the reference to Circular 1/2006 is highlighted in the UDP. In addition the council contact section will be corrected to state Major Projects and Heritage Team.	Change. Amend Para 13.0 as follows – 'Major Projects and Heritage Team
18	English Heritage	General	The council's own Conservation and Design Team should be closely involved throughout the preparation and implementation of the SPD.	The Conservation and Design Team as part of the Major Projects and Heritage Team have been closely involved in the production of the SPD.	No change
19	Government Office for London	Para 1.10	Will the Council support applications for Housing Corporation grant or expect Housing Corporation to support schemes through grant. If the latter that is not within the power of the LA. This point should be a bit clearer.	The Council agrees to clarification of the last sentence.	Change Amend last sentence as follows: 'and on this basis

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					applications for grant funding, if required, will be supported'
20	Government Office for London	Para 4.7	Rented Social Landlords (RSLs) may not agree to this as any income would be expected to be re-invested in Affordable Housing - either new or improvements to existing stock but I do not think that they would be able to agree to that happening in the borough - especially if there was Housing Corporation. grant which is of course not borough specific	The Council agrees to clarification of the last sentence.	Change Amend last sentence as follows: 'in the borough where possible'
21	Government Office for London	Para. 6.4	The last sentence raises concerns as in larger homes, say 4+ bedrooms, there is a need for larger communal rooms – e.g. living rooms to accommodate whole family - I am not clear in planning terms if these are "habitable" rooms.	The SPD at Appendix 4 refers to Internal Floor space Standards and makes reference to the National Housing Federation's 'Standards and Quality in Development – A Good Practice Guide'.	No Change
22	Government Office for London	para.6.5	The Housing Corporation would have to agree whether Affordable Housing is counted as rooms or homes as they don't give grant where no net gain and I am unsure how they define that.	The Council notes that the Housing Corporation have not raised this as an issue in their representations.	No Change
23	Government Office for London	para.10.3	I know there is a long history on this in planning guidance but is there now a view on preferred RSLs from Local Authority's lists as opposed to developers preferred partners.	The Council considers that the SPD provides sufficient flexibility on the partners (RSLs or Affordable Housing Partners) it will work with.	No Change
24	Government Office for London	Para. 10.4	Any AH where there has been HC grant is subject to sub-regional nominations - the host borough gets a share (usually 25%) and the rest is shared with the other boroughs in the sub-region. In effect the borough often has all the nominations on the development because when all developments in the sub-region are divvied up they work put that way. Would the wording here preclude that sub-regional arrangement.	The Council fully recognises the operation of sub-regional arrangements. The SPD wording does not preclude such arrangements.	No change
25	Pioneer Housing and Development Consultants	General	SPD attempts to introduce new policies, prescriptive formulae and to prescribe development partners and transfer values. The SPD attempts to dictate matters and will consequently deter development from taking place. SPD should not have been issued for consultation until after the LDF is adopted and should not be regarded as a material consideration for	The Council has published this SPD in order to elaborate and clarify how the Council's affordable housing policies as set out in the UDP (adopted May 2006) will operate. The SPD has been prepared in	No change

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			development control purposes. SPD attempts to supplement an emerging document rather than adopted policies therefore should be withdrawn. SPD attempts to introduce new, prescriptive, policies which would not have survived the inquiry process and it is therefore unlikely to be given a great degree of weight in any forthcoming S.78 inquiry procedures.	accordance with PPS 12 – Local Development Frameworks.	
26	Pioneer Housing and Development Consultants	Tenure of Affordable Housing	References to affordable housing which seek to define it and dilute the relevance of low-cost market accommodation contradict Circular 6/98 and should be removed from the SPD. PPG3 published in 2000 confirms that Circular 06/98 Planning and Affordable Housing continues to apply within the framework of the revised PPG. Where local planning authorities are able to demonstrate a lack of affordable housing to meet local needs, they are advised to include a policy in the plan for seeking an element of affordable housing on suitable sites, defining what is regarded as affordable. The SPD attempts to re-define affordable housing by imposing prescriptive tenure mixes. The Council can therefore be seen to be attempting to circumvent the tenure neutrality that is imposed by the Circular:- Guidance is given to Councils in both Circular 6/98 and PPG3 as to how they should interpret affordability in policy and references to 'target rents' directly conflict with this advice. The attempt to prescribe tenure is indicative of the thrust of this SPD being to fetter development with restrictions that would not survive an inquiry process and the SPD should therefore be withdrawn.	Barnet's UDP (adopted May 2006) sets out the definition of affordable housing. The SPD elaborates on this definition. Barnet's UDP is in accordance with PPG 3 and Circular 6/98.	No change
27	Pioneer Housing and Development Consultants	Funding	There is no locus in planning guidance for a local planning authority to determine land values nor the transfer cost of dwellings to a 3rd party. This is advised by Circular 5/05 'Planning Obligations' The Council is advising applicants they must provide RSL accommodation but may not rely upon Social Housing Grant. Circular 6/98 confirms at paragraph 9 and 33Ac) that public subsidy should be taken into consideration during negotiations and that if it is agreed to sell dwellings to an RSL the number i.e. the proportion will be dictated by the funding available or a different method of provision agreed. SPD suggests that an 'open book' exercise will be undertaken to prove that developments with a 50% level of provision will still be viable but it is a matter wholly beyond the remit of a local planning authority to determine what an acceptable land value or a developers profit margin is. Nor is it acceptable to prescribe new policies that planning	The Council has published this SPD in order to elaborate and clarify how the Council's affordable housing policies as set out in the UDP (adopted May 2006) will operate. The SPD has been prepared in accordance with PPS 12 – Local Development Frameworks.	No change

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			<p>applications will be refused unless an applicant reveals confidential financial information.</p> <p>Affordable housing provision of the magnitude sought by the Council without recourse to public subsidy will deter sites from coming forward. Replacing public subsidy and making decisions about acceptable land values/profit margins has not been clearly set out in policy nor subject to public consultation in an arena where an Inspector may independently arbitrate and it is of concern that the Council have decided to do so via SPD.</p> <p>According to PPS 12 policies which should be included in a DPD and subjected to proper independent scrutiny in accordance with the statutory procedures should not be set out in SPD</p> <p>The local planning authority should negotiate the type of provision and, if it is agreed by both parties that it is preferable to sell dwellings to an RSL, the number of dwellings provided should be adjusted to match the funding available. This pragmatic approach is confirmed in Circular 6/98 and should be emphasised in local plan policies.</p> <p>The Council are attempting to secure funding rather than supplement adopted land use policies and this is not a legitimate use of SPD; this draft SPD should be withdrawn.</p> <p>The current advice supports need to allow for alternative arrangements if funding is not forthcoming.</p> <p>Emerging guidance is consistent with current advice regarding the need to allow for alternative arrangements if public subsidy is not forthcoming and it can be seen that there is no presumption in existing or emerging national guidance that a local planning authority can insist upon a specific transfer price or that a specific mix of affordable housing tenures should be provided irrespective of the availability of public subsidy. Rather, the guidance is that the type and proportion sought should be flexible in response to the availability of public subsidy.</p> <p>It is therefore reasonable to suggest that the mix of affordable housing must be responsive to the availability of public subsidy and a cascade mechanism should be incorporated in any planning agreement. It is not reasonable, nor does the emerging guidance suggest, that any such shortfall in funding should be requested from developers as a pre-condition of obtaining planning consent.</p> <p>There is nothing in existing or emerging national guidance that states that a local planning authority can insist that a specific tenure of affordable housing should be provided irrespective of the availability of</p>		

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			<p>public subsidy. Rather, the guidance is that the type and proportion sought should be flexible in response to the availability of public subsidy.</p> <p>It is evident that the Council are attempting to secure funding rather than adopt land use policies and references to nil-grant funding should be deleted. In particular it is evident that no consideration, other than the assumption that a Council may impose prescriptive requirements irrespective of the availability of the necessary public subsidy, has been given to the availability of sufficient public subsidy to support the tenure split being proposed and the SPD should - at the very least - be amended to reflect this probable shortcoming and re-issued for consultation at the appropriate time in the LDF procedure.</p>		
28	Pioneer Housing and Development Consultants	RSL Provision	<p>It is explicit in the SPD that the Council are predisposed towards the involvement of RSLs in the provision of affordable housing contrary to Circular 6/98. SPD should confirm it is not necessary to involve an RSL in the provision of affordable housing</p> <p>The Housing Act 2004 which allows Social Housing Grant to be paid to non-RSL organisations and is referred to in the reasoned justification in the emerging plan. However, such a possibility is excluded when the local planning authority seeks the right to approve of such bodies; consequently it can again be demonstrated that this SPD, despite the half-hearted recognition of the new system introduced in 2004, is an overt attempt to sidestep planning guidance.</p>	The Council considers that the SPD provides sufficient flexibility on the partners (Rented Social Landlords or Affordable Housing Partners) it will work with.	No change
29	Pioneer Housing and Development Consultants	Successive occupants	<p>SPD insists that affordable housing must be provided in perpetuity and this objective must be considered in light of the situation when Social Housing Grant is used to provide dwellings to rent; in such circumstances, tenants enjoy the Right to Acquire by virtue of Section 16 of the Housing Act 1996 (just as every 'shared owner' on the SHG funded model lease has the right to "staircase" to 100% ownership) and therefore it is not possible to comply with the proposed requirement.</p> <p>The local planning authority should not set out broad requirements contrary to Circular 6/98. If the Council's preferred development partners, i.e. RSLs, are unable to comply with this requirement, then it would be unreasonable to apply it rigidly to any other provider and the draft SPD should therefore be withdrawn.</p>	The Council recognises that S106 agreements contain clauses which allow for exclusions because of right to acquire or 100% stair casing.	No change
30	Pioneer Housing and	Construction standards and	Council has no powers, beyond Building Regulations, to impose standards of construction on a scheme and therefore all references to	The Council considers that it is important to highlight the need to	No change

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	Development Consultants	build programme	'Scheme Development Standards' and Eco ratings should be deleted as they are irrelevant unless affordable housing is being provided with the benefit of Social Housing Grant. This draft should therefore be withdrawn. Similarly it is entirely unrealistic to suggest that affordable housing should be transferred to third parties before any private dwellings are occupied. This places entirely artificial constraints on build programmes that is inconsistent with the adoption of safe and efficient build programmes. Such an objective is entirely beyond the powers of a local planning authority and this draft SPD must be withdrawn.	deliver high quality homes	
31	Pioneer Housing and Development Consultants	General	The emphasis in current and emerging planning guidance is on negotiation and a flexible response from local planning authorities so that development is not deterred and it is therefore regrettable that the Council is responding by seeking to impose prescriptive definitions and formulae. Such an approach cannot be justified and will be awarded little weight at any subsequent public inquiry. This draft SPD attempts to introduce new policies that contradict existing and emerging planning guidance and it should therefore be withdrawn. This draft SPD attempts to secure prescribed tenures irrespective of the availability of public subsidy in direct contradiction of existing and emerging planning guidance and it should therefore be withdrawn. This draft SPD does not allow for the use of cascade mechanisms in direct contradiction of existing and emerging planning guidance and it should therefore be withdrawn. This draft SPD attempts to impose prescribed development partners in direct contradiction of existing and emerging planning guidance and it should therefore be withdrawn. This draft SPD is a blatant and unlawful attempt to control matters that are beyond the powers of a local planning authority and it should therefore be withdrawn.	The Council has published this SPD in order to elaborate and clarify how the Council's affordable housing policies as set out in the UDP (adopted May 2006) will operate. The SPD has been prepared in accordance with PPS 12 – Local Development Frameworks.	No change
32	West Hendon Residents' Association	Estate regeneration Para. 6	This section does not mention the pledge made to residents with regards to better and bigger homes and the retention of secure tenancies.	This is a SPD setting out the Council's approach to the delivery of affordable housing in the borough. The SPD covers general borough matters as opposed to specific schemes such as West Hendon. This letter has been copied to the West Hendon Project Director for response.	No change
33	West Hendon Residents'	Appendix 4	These space standards in the appendix are smaller than comparable properties currently in West Hendon Estate. Also what does "ideal	The space standards in Appendix 4 are based on the Housing	No change



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	Association		shape" mean?	Corporations 2005 standards. Funding is based on meeting these requirements. An ideal shaped room enables standard furniture arrangements.	
34	West Hendon Residents' Association	General	There needs to be more clarity over the terms used affordable housing should not be used to refer to social housing.	The Council defines affordable housing as housing designed to meet the needs of households whose incomes are not sufficient to allow them to access decent and appropriate in their borough. Affordable housing comprises social housing, intermediate housing and in some cases, low-cost market housing. This definition is included in appendix 1 of the SPD.	No change
35	Barnet Labour Group	Para 1.10	The central driver for the Affordable Housing SPD should be to meet local housing need for Barnet residents. This needs to be more clearly articulated to developers and Registered Social Landlords (RSLs) throughout the SPD. Within the section relating to affordable housing objectives, the objective of 'Addressing housing need' should become the first priority, with the SPD stating clearly that housing Barnet residents is the most important and overarching priority when it comes to affordable housing.	The SPD clearly reflects the importance of addressing housing need. The SPD makes robust linkages with the Council's strategic housing objectives including the Sustainable Community Strategy and underpins these with the key affordable housing objectives.	No change
36	Barnet Labour Group	Para 1.10	The final sentence in the paragraph 'Addressing Housing Need' is unclear. The SPD currently reads: "It [the council] expects the social rented housing to meet priority need and on this basis grant funding if required will be supported." The Council needs to clarify within the SPD what this means and what are the implications for other tenures of affordable housing.	The Council agrees to clarification of the last sentence.	Change Amend last sentence as follows: 'and on this basis applications for grant funding, if required, will be supported'
37	Barnet Labour Group	Para 3.2	The key findings of the May 2006 Barnet Housing Needs Assessment should be outlined in the SPD before the new affordable housing objectives, which are published for the first time in the SPD. An amendment would help put the policies and objectives in the context of	The Council considers that the SPD layout is fit for purpose. The purpose of the SPD is to supplement evidence based policies in the	Change At Para 3.2 add web-link at end of 1 <sup>st</sup> sentence

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			Barnet's housing need.	adopted UDP. A web-link to the 2006 Assessment has been added.	<a href="http://www.barnet.gov.uk/barnet-hna-report-web.pdf">http://www.barnet.gov.uk/barnet-hna-report-web.pdf</a>
38	Barnet Labour Group	Para 3.2	The London Mayor's Housing Supplementary Planning Guidance advises that when setting affordable housing targets the Council must bear in mind: "the relative needs for social housing and intermediate housing within both the borough and the wider sub-region, in terms of household income and access to market provision." The 'key findings' of the Barnet Housing Needs Assessment do not report on the need in Barnet for social rented housing compared to intermediate housing. If the Assessment came to conclusions on this matter then these should be summarised in the SPD. If not, then the Council needs to commission research on the comparative need for social rented housing versus intermediate housing in order that the SPD can be evidence-led.	It is not appropriate for SPD to set new policy. The Council will in accordance with national and regional guidance produce new affordable housing targets when the UDP is replaced by the Local Development Framework.	No change
39	Barnet Labour Group	Para 4.1	For clarity, the definition of social rented housing on page 12 should also include the criterion, as set out in the London Plan and quoted in the SPD on page 11, that the rents must be no higher than target rents as set by Government for local authority and housing association rents. There is no indication within the SPD as to why this criterion has been omitted from this section.	The Council considers that the definitions support each other. Para 4.1 shows the definition in the adopted UDP for Barnet which is in general conformity with the London Plan. Barnet's definition underpins affordable housing delivery in this borough.	No change
40	Barnet Labour Group	Para 4.2	Proportions of affordable housing to be socially rented and intermediate The Government's Draft PPS3 clearly states that local authorities should set separate targets for social-rented and intermediate housing. The London Plan sets out the London Mayor's target of 70% social housing and 30% intermediate provision within affordable housing, and also provides guidance to the Council in setting its targets: "Boroughs should set targets for the desegregation of affordable housing between social housing and intermediate housing provision, which should take account of the Mayor's London-wide objective that 70% of affordable housing provision should be social housing and that 30% should be intermediate provision. (I.e. 35% of total provision should be social housing and 15% of total provision should be intermediate). Barnet's UDP does not set out these targets for the desegregation of affordable housing between social housing and intermediate housing. The Council claimed the Affordable Housing SPD would deal with this	The SPD seeks the widest range of housing options for Barnet and reflects the holistic and flexible approach necessary to deliver sustainable development. The Mayor has raised no objections to Barnet's site-by-site approach and considers that the SPD is comprehensive and should prove very helpful for prospective developers within the borough. The Mayor has confirmed that the SPD is in general conformity with the London Plan.	No change

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			<p>matter, but the SPD does not set out targets either. Instead the SPD states: "The Council will negotiate, on a site by site basis, a more appropriate split for Barnet in order to enable the delivery of wider sustainable development and regeneration objectives". The approach set out in the SPD at present is not clear to developers and RSLs, and requires clarity. This vague approach is repeated on page 14.</p> <p>The SPD offers no rationale or evidence for not setting targets for the desegregation of affordable housing between social housing and intermediate housing. If the Council wishes to abdicate its responsibility for setting targets then the Council must, at the very least, provide evidence and a rationale for so doing with reference to research on Barnet's relative need for socially rented and intermediate housing.</p> <p>Neither does the SPD offer any rationale or evidence for differing from the London Plan or Mayor's SPG targets for 70% socially rented and 30% intermediate housing. Given the scale of housing need in Barnet, the Council should set out clearly that its targets for affordable housing are 70% social housing for rent and 30% intermediate housing.</p>		
41	Barnet Labour Group	Para 6.2	The word 'normally' should be removed from paragraph 6.2 on page 14 to strengthen the Council's approach to the delivery of affordable housing and avoid a loophole in the guidance.	The wording provides flexibility on negotiating contributions to affordable housing. It is not the intention of the SPD to make housing schemes unviable	No change
42	Barnet Labour Group	Para. 6.3	Paragraph 6.3 on page 14 relates to the basis of calculations for the affordable housing proportion. The SPD needs to be clear as to whether the Council is, or is not, adopting the use of the same calculations as the Mayor's Housing SPG.	The SPD clearly sets out that it will use units, habitable rooms or floor space as the basis for calculating the appropriate affordable housing for Barnet.	No change
43	Barnet Labour Group	Para 6.3	It is easier for Members on planning committees to assess and compare the relative merits of planning applications in terms of the numbers of units, as opposed to habitable rooms and floor space. Setting out the numbers of units for all calculations (as well as setting out habitable rooms and floor space calculations for particular schemes if agreed) would aid planning committee Members in judging the relative merit of schemes.	The presentation of reports to planning committees is a matter of detail not appropriate for this SPD. However the Director of Planning and Environmental Protection will ensure that planning reports continue to be clear and transparent.	No change
44	Barnet Labour	Para 6.3	Barnet's proposals (a) to use calculations based upon the numbers of	The SPD clearly sets out that it will	No change

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	Group		habitable rooms where affordable housing has more rooms than market housing and (b) to use calculations based upon size of rooms where the affordable housing rooms are larger than market housing rooms, will reduce the number of affordable housing units available. The Council should use housing units calculations on all schemes to maximize the amount of affordable housing provided.	use units, habitable rooms or floor space as the basis for calculating the appropriate affordable housing for Barnet.	
45	Barnet Labour Group	Appendix 5	The calculation example shown in Appendix 5 needs to be clarified. At present, to the layperson it reads as if the Council would accept 68 affordable rooms and 90 private rooms, which would not appear to meet the 50% target for affordable housing.	The Council considers that Appendix 5 is clear. However it proposes a minor amendment to avoid further misunderstandings.	Change Appendix 5 – change 1 <sup>st</sup> sentence of last Para as follows: 'The off site requirement = original and transferred = 68 habitable rooms. This is equivalent to 76% of the total habitable rooms'
46	Barnet Labour Group	Section 9	<p>The entire section concerning on-site provision, off-site provision and payments in lieu, on pages 18 and 19, is unspecific. The wording should be strengthened to reduce the possible loopholes within the text to prevent the Council from weakly accepting commuted payments and off-site provision rather than insisting on on-site provision. Surrendering to off-site provision and commuted payments is a practice that has occurred far too often in recent years.</p> <p>Barnet should reduce the considerable length of time it often takes from agreeing a commuted sum to actually building the affordable housing agreed for other sites. Whilst discouraging off-site provision, Barnet's SPD should set out, in line with the Mayor's SPG, that consideration will normally only be given to off-site provision where an alternative site or sites have been identified which would enable affordable housing provision more appropriate to the identified needs to be met and where the project is deliverable <u>prior to the on site market development being completed.</u></p>	The Council considers that the SPD wording on provision is robust yet allows flexibility. Most affordable housing provision is on-site. The adopted UDP policy framework which is in general conformity with the London Plan covers the circumstances where off-site provision or commuted payments may be more appropriate.	No change
47	Barnet Labour	Para 6.5	The SPD claims that: "There may be exceptional circumstances which	The Council has considered the	No change

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	Group		<p>occasionally may justify a reduction in the level of affordable housing.” This claim needs clarification and examples of such “exceptional circumstances” (rather than what is NOT an exceptional circumstance) to establish what the Council means and to ensure this is not another vague proviso to allow the Council to ignore local housing need.</p> <p>The Mayor's SPG gives examples of exceptional circumstances where off-site provision or commuted payments may be considered. Barnet's SPD should follow this best practice and also give examples, although obviously not an exhaustive list, of some exceptional circumstances that may be considered.</p>	Mayor's SPG and considers that the SPD wording on exceptional costs is robust and clearly sets out requirements for justifying such costs.	
48	Barnet Labour Group	Para 6.5	Para 6.5 concerning 'exceptional costs' does not reflect how some developers appear to operate. Unfortunately, some developers may not take 'known constraints' into consideration until they prove a useful bargaining tool with the Council. The best example is that 'unexpected contamination' now appears on a regular basis at planning committees. 'Open book' negotiations with the Council will mean fewer affordable units. We believe paragraph 6.5 should be strengthened in favour of securing as much affordable housing as is possible. We are happy to further discuss the detailed wording of this paragraph with the Council.	The Council considers that the SPD wording on exceptional costs is robust and clearly sets out requirements for justifying such costs.	No change
49	Barnet Labour Group	Para 4.5	<p>Barnet's SPD presents no reason or evidence as to why “shared ownership is a favoured option” (page 13). At present there is no indication as to why this statement is contained within the SPD. If shared ownership is a favoured option for the Council, then the SPD must set out:</p> <ul style="list-style-type: none"> <li>» The evidence for shared ownership being a favoured option,</li> <li>» Which other favoured options, if any, the council has, and</li> <li>» Which options are not favoured, for example social housing for rent?</li> </ul>	The Council considers that this section clearly refers to intermediate housing. However it proposes an amendment to avoid further misunderstandings.	Change Para 4.5 – change 1 <sup>st</sup> sentence to : ‘Shared ownership is a favoured option for intermediate sale enabling ....
50	Barnet Labour Group	Para 6.5	The SPD sets out that estate regeneration schemes should be excluded from the 50% affordable housing target for new units (page 15). The calculation for all sites is usually gross not net, but for estates it is thus net not gross. Whilst we appreciate that the Council is following the Mayor's Housing SPG on this matter, an additional line should be added to Barnet's SPD to the effect that whilst the Council cannot require the provision of a gross increase in affordable housing on regeneration estates, the Council supports and encourages developers to move	The Council considers that the viability and sustainability, including the delivery of decent homes, of estate regeneration and redevelopment schemes would be compromised by seeking a gross increase in affordable homes.	No change

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			towards the provision of a gross increase of affordable homes on such sites.		
51	Barnet Labour Group	Para 2.7	<p>Page 11 of the SPD mentions the Mayor's Housing SPG, but gives no detail. The SPD should also highlight key components of the second section of the Mayor's SPG on affordable housing, and clearly state that the SPG is a material planning consideration when determining planning applications.</p> <p>For clarity, the SPD should make clear that planning applications referred to the London Mayor that include residential development will be considered in relation to the strategic target of 50% affordable housing provision, and the guideline of 35% social housing provision and 15% intermediate provision</p>	This SPD supplements policy on affordable housing in Barnet's adopted UDP. It sets out the Council's approach to delivery from residential schemes in Barnet. To enable reference to the Mayor's Housing SPG a web-link has been added.	Change At Para 2.7 add : <a href="http://www.london.gov.uk/mayor/strategies/sds/docs/spg-housing.pdf">http://www.london.gov.uk/mayor/strategies/sds/docs/spg-housing.pdf</a>
52	Barnet Labour Group	Para 2.4	<p>Affordable housing on sites below 10-unit threshold Page 9 (paragraph 2.4, third point) quotes PPS3 concerning 15 units. This section on the PPS3 national guidance is superseded by the Inspector's decision on Barnet's UDP to return the threshold to 10 dwellings, and this point should be made clear in the SPD to avoid confusion.</p> <p>In order to help meet the housing need and address the housing crisis in Barnet (as described by the UDP), the SPD should state that, whilst the Council cannot require the provision of affordable housing on sites below the 10 units threshold, the Council supports and encourages developers to provide affordable homes on such sites.</p>	Adopted UDP policy seeks that 50% of housing provision in the Borough is affordable. The Council therefore continues to support and encourage the provision of affordable housing in the Borough in order to meet the 50% strategic target.	No change
53	Barnet Labour Group	Para 1.10	We support Barnet's SPD objective of 'Creating Mixed and Sustainable Communities'. In line with the Mayor's SPG, the Council should <u>consider</u> whether to amend the SPD to state that where there are smaller sites, which are infill developments in areas where owner occupation is predominant, the provision of over 50% affordable housing would be consistent with an objective of creating mixed and sustainable communities. In line with the Mayor's SPG, the Council should also <u>consider</u> whether to amend the SPD to make clear that larger sites which are in areas of predominantly owner occupied housing may be appropriate for higher than norm proportions of social rented provision.	It is not appropriate for SPD to set new policy. In creating mixed and sustainable communities the Council will continue to negotiate affordable housing on a site-by-site basis.	No change
54	Barnet Labour Group	Para 4.6	We believe the final sentence in paragraph 4.6 on page 13 'Housing in Perpetuity' would benefit from clarification, so that the statement could	The Council considers that the present wording is clear. This	No change

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			be better understood by the layperson.	supports the Council's aim of retaining an affordable housing stake where S106 funding is secured.	
55	Middlesex University	Para 5.1	Confirm that proposed approach to student housing is in alignment with our interpretation and expectation of the way in which student housing is considered in the SPD.	The Council welcomes this support.	No change
56	Linden Homes (Chiltern)	General	Provision of affordable housing should not conflict with the delivery of much needed housing in accordance with central government and the policies in the London Plan.	It should be noted that the 2004 London Housing Capacity Study showed that 83% of the Boroughs housing supply will be from large sites.	No change
57	Linden Homes (Chiltern)	General	There will be sites where the viability of the development does not facilitate such provision to be delivered at the levels specified in the London Plan and London Borough of the Barnet policies.	It is not the intention of the SPD nor the Council's overall approach to affordable housing delivery to make schemes unviable.	No change
58	Linden Homes (Chiltern)	Para 6.5	The document does not go far enough with respect to issues of scheme viability. It is not appropriate to state that all land purchases for development should recognise the cost of delivering affordable housing. This would mean that many small and medium sized developments are not viable, reducing the delivery of a number of units. Furthermore, it is the case that many developments are acquired in the absence of confirmation as to whether funding is available for affordable housing, which influences the amount and type of affordable housing provision that is deliverable within the scheme viability. Greater flexibility should be introduced into the determination of the amount and type of affordable housing that is provided.	The Council considers that if the requirements of the SPD are met then it would expect funding to be available. Developers have a responsibility to factor in contributions to affordable housing long before developing schemes. Developers are expected to justify exceptional costs and provide an open book approach to viability.	No change
59	Linden Homes (Chiltern)	Para 7.1	The SPD indicates that a gross figure will be applied to sites on which there is existing property. This may preclude the viability of some sustainable Brownfield developments; a net figure should be applied.	The gross figure is supported by the Mayor's Housing SPG Para 18.10.	No change
60	Linden Homes (Chiltern)	Para 8.6	In controlling the level of service charges the Council must not expect private occupiers of dwellings in the same building or development to subsidise the service charges of the affordable occupiers. It is therefore important that an equitable service charge is found for all occupiers and that the Council ensures that the design of the development will assist in minimising costs. Furthermore the Council should accept that car parking for affordable occupiers is not required. The parking provision	The SPD clearly sets out the importance of addressing these issues at pre-application stage. The onus is on developers to work with RSLs on design matters. The Council applies the residential parking standards as set out in the	No change

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			adds to the costs of the development and indeed service charges.	UDP to all tenures.	
61	Linden Homes (Chiltern)	Para 10.8	<p>This sections state that all housing should be delivered to a Registered Social Landlord from the Council's approved list. This approach restricts potential sources of public subsidy and fails to recognise the role of housing developers and Housing Associations (including non RSLs), which may not be on the Council's approved lists, in the provision of affordable housing. This is particularly the case for intermediate and key worker housing. The failure to include these parties has a negative impact in the potential for many development proposals to deliver affordable housing and is a factor recognised in emerging central government advice.</p> <p>The inclusion of other potential partners, with the Council retaining nomination rights, should therefore be encouraged.</p>	The Council considers that the SPD wording provides flexibility on the matter of joint working. If an Affordable Housing Provider has a good local track record in housing management it is not excluded.	No change
62	Linden Homes (Chiltern)	Para 10.1	The fees levied by the Council are prohibitive and lead to some smaller developments coming forward in the absence of discussion. In discussions a flexible approach should be applied by the Council, in order to enable the delivery of the correct form of affordable housing. E.g. there may be a need for 2 bedroom houses, this provision may lead to a reduction in the overall numbers of affordable houses but consideration should be made of the local context and in circumstances where there is a large amount of socially rented housing; allow an increased proportion of intermediate accommodation as part of the overall affordable allocation, to met the required for "mixed and balanced communities".	<p>The Council considers that pre-application discussions benefits applicants and local stakeholders alike in speeding up the process and ensuring that proposals are not unacceptable.</p> <p>The Council's Housing Needs Assessment has been published on the website.</p> <p>The SPD provides sufficient flexibility for negotiations. It sets out at Para 8.3 a preferred mix for social rented housing as a guide and at Para 4.2 states that the Council will negotiate an appropriate tenure split for Barnet on a site by site basis.</p>	No change
63	GVA Grimley	Para 1.10 Para 3.2 & Para 8.4	We object that each part of a development should integrate a mixture of family size accommodation as well as smaller accommodation. Paragraph 3.2 states that there is a shortfall of one and three bedroom homes and Para 8.4 states that for intermediate housing the Council's priority is for 1 and 2 bed roomed homes. Therefore, there is clearly an	These are the key affordable housing objectives of the SPD supporting the strategic housing objectives in corporate documents such as Barnet's Sustainable	No change



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			<p>inconsistency with this approach to provide for family housing and small units on the same site. Each site needs to be assessed on a case by case basis depending on the local need and circumstances. Furthermore, this contradicts with the wording under the title 'addressing housing need' which does refer to assessing local need and providing a suitable mix.</p> <p>Suggested response: The wording should not be prescriptive regarding the requirement to provide family size and smaller accommodation. It should be used as a guideline to allow for discussions to be held with RSLs and the housing department of the Council to assess what the need is.</p>	<p>Community Strategy. The objectives are therefore not prescriptive.</p> <p>There is no conflict between Para 3.2 and Para 8.4. The figures on dwelling mix provide a guide for negotiations and are based on addressing priority need.</p>	
64	GVA Grimley	Para 4.6	<p>There is no justification given as to why in cases where shared ownership has not required Housing Corporation funding, that the Council would seek to limit stair casing to a maximum of 80%. Regard should be taken to the practicality of Housing Associations to provide affordable housing and being able to continue to fund further such housing schemes. It is too restrictive on RSLs who need to continually provide good affordable sites in the borough.</p> <p>Response suggested:- Amend paragraph to provide further justification for the stair casing limit.</p>	The Council seeks to retain 20% in order to ensure that a level of housing remains affordable in perpetuity for incomes at the higher level.	Change At para 4.6 add new last sentence as follows : 'This ensures that a level of housing remains affordable in perpetuity for incomes at the higher level.'
65	GVA Grimley	Para 4.7	<p>The overall approach to ring-fencing and reinvesting any stair casing receipts from shared ownership is encouraged. However funding should be reinvested regionally rather than borough wide to reflect needs which are close to the Borough boundaries.</p> <p>Suggested response:- Amend wording to refer to regional as well as borough wide funding.</p>	The Council recognises the sub-regional arrangements for reinvestments.	Change Amend last sentence as follows: 'in the borough where possible'
66	GVA Grimley	Para 6.5 Exceptional circumstances	<p>It is inappropriate to list ground conditions as a standard development cost which would not be considered as an exceptional cost.</p> <p>Suggested response:- Amend the list of exceptions to development costs by referring to ground conditions, except where land is contaminated.</p>	The SPD clearly states that costs of unexpected contamination will be considered. The Council considers that in purchasing land an assessment is made of ground conditions including contamination i.e. it is a known cost.	No change
67	GVA Grimley	Para 8.3	We object to the housing mix requirements set out in Para. 8.3 For the	The figures on dwelling mix provide	No change

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		Providing for mixed and sustainable communities	following reasons. The overall approach is restrictive and does not take into account the circumstances of individual development sites. The preferred mix for social rented dwellings should be set as a guide to allow for discussions with the RSL and the Council's housing department to ascertain the required mix depending on the site circumstances. The wording should reflect that the list is a guide rather than being prescriptive.	a guide for negotiations based on an analysis of the Council's housing data base. The SPD clearly states that this is the preferred mix and that the Council expects the mix to meet priority need.	
68	GVA Grimley	Para 9.3 On-site provision	The exceptional circumstances are too prescriptive and does not allow for any other instance where payments could be paid in lieu, such as where the land is contaminated.	The SPD recognises that unexpected contamination can be an exceptional cost but this is not a valid reason for commuted payments or off-site provision.	No change
69	GVA Grimley	Para 10.4 Nominations	We object to this overly prescriptive requirement that all dwellings should be permanently affordable housing. This does not allow for ability for an area to regenerate and for those who purchase properties to have the opportunity to own their property out-right. Furthermore, this conflicts with Para 4.6 which states that where Housing Corporation funds are used for shared ownership developments then the householders can staircase to 100%.	The Council recognises that S106 agreements contain clauses which allow for exclusions because of right to acquire or 100% stair casing.	No change
70	GVA Grimley	Para 11.2	We object to an obligation for a developer to provide a construction and skills teaching scheme. We do not consider that this can be argued to reasonably relate to the development. The construction and skills teaching scheme could be suggested as an informative	The SPD encourages participation in the CTI. The Council supports the Construction Training Initiative because it helps the unemployed to develop much needed construction skills. It expects developers to recognise the community benefits of schemes such as this.	No change
71	GVA Grimley	Para 12.2	We object to the requirement for a design brief and a management schedule to be part of S106 agreements. This is too onerous and could be dealt with by way of condition. Delete paragraph or revise wording so that design briefs and management schedules are provided by way of conditions attached to permissions.	The Council considers that it is appropriate for S106 agreements rather than planning conditions to cover these matters.	No change
72	Greater London Authority	General	The document is comprehensive and should prove very helpful for prospective developers within the borough as well as the borough's	The Council welcomes this endorsement for its approach to	No change

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			residents, businesses and other stakeholders. The Mayor considers that the document is in general conformity with the London Plan.	affordable housing delivery from the Mayor and GLA.	
73	Greater London Authority	Para. 8.3	The target for 4-bedroom social rented dwellings appears low compared with the 42% figure in the Mayor's Housing SPG, which is derived from the 2004 London Housing Requirements Study.	The Council considers that the preferred social rented mix set out in the SPD reflects local circumstances and is appropriate for Barnet	No change
74	Greater London Authority	Para.8.6 Car Parking provision	Transport For London is keen to ensure that the level of parking provided for all affordable housing developments is in line with the Mayor's parking standards contained in the London Plan (Annex 4). Transport For London would like to see the supplementary planning document explore the feasibility of providing lower standards at these developments on the basis that car ownership may be lower for affordable housing occupants than for open market residents.	The Council applies the residential parking standards as set out in the UDP to all tenures.	No change
75	Greater London Authority	Travel Plans	TfL will shortly be producing a best practice guidance document on residential travel plans (especially relevant to large-scale developments) TfL would like to see reference being made of this in the final document.	The Council looks forward to the publication of the Best Practice Guidance on Residential Travel Plans and considers that any reference to it, following publication, would be more appropriate in the forthcoming SPD on Sustainable Development.	No change
76	Brent Cross Cricklewood Regeneration Partnership	Para. 4.4 (I)	The assessment takes no account of any savings that may be held by the household in question and which the household may wish to make use of to support a deposit and, second, that fixing the maximum multiple of income at 3.5 is not always appropriate.  Research into current lending calculations of major high street lenders has identified several different examples. E.g. One building society offer ranges up to a 4.25 multiplier. Even higher multiples are available through such mechanisms as self-certification but these are not always sustainable products. In addition, the Council's proposed definition takes no account of any equity that households may be able to contribute. Research by the Council of Mortgage Lenders has found that the Average first time buyer deposit in London now exceeds £50,000. Whilst the deposits available to households in housing need are, necessarily	The SPD is in conformity with the Mayor's SPG and reflects the text set out in Para 15.7 of that document.	No change

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			<p>going to be significantly smaller, it is inappropriate for the Council to assume that no deposit will ever be available.</p> <p>If the Council were to take a more flexible view of what households can afford then the advantage to the purchasers would be that they would be able to acquire a significantly larger share of the equity in their home, thus maximising the size of the asset that they acquire whilst minimising the rent element of their housing costs. The advantage to the Council would be that higher affordable housing prices would improve the viability of developments and allow more affordable housing to be provided.</p> <p>We therefore recommend that the council remove reference to a maximum of a 3.5 times income multiplier and a maximum initial sale price. Instead we recommend that the paragraph refers to "total housing costs including rent which are affordable to the household and that the initial purchase price should be affordable based upon the amount of equity they may be able to commit plus a mortgage based on appropriate multiples of income available in the open market."</p>		
77	Brent Cross Cricklewood Regeneration Partnership	Para. 4.4 (iv)	<p>We would like to highlight the importance of ensuring that such comparisons are made on a fair like for like basis. New affordable housing is required to conform to Very high environmental and thermal performance standards; the cost of future maintenance is also likely to be lower. Both of these factors will provide significant Benefits to the occupiers in the long run.</p>	<p>The Council seeks to deliver high quality, environmentally sensitive homes. These objectives apply to all new homes in the Borough. Market housing will also be expected to conform to very high environmental and sustainable development standards. The Council will provide further guidance on delivering high quality environmentally sensitive homes in the forthcoming Sustainable Development SPD.</p>	No change
78	Brent Cross Cricklewood Regeneration Partnership	Para. 4.5	<p>This criterion is in addition to that set out in the London Housing SPD which requires that the total mix of units provided by any given Borough should average out at the mid point of the Intermediate income spectrum (i.e. £32,700). The difficulty is that where the open market value of properties is high, and income levels towards the bottom third of the spectrum, the share of equity acquired is small</p>	<p>This is in accordance with the Mayor's SPG. Para 15.9 of that document states that 'Local Planning Authorities should seek to ensure that intermediate provision provides for households</p>	No change

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			<p>and rent represents a very large share of housing costs. Therefore, in some new build developments where open market values are very high, it may not be appropriate to target as many as a third of units at incomes below £25,000.</p> <p>We recommend that this criterion is removed and that the Council reverts to the use of a criterion similar to that contained in the London SPG, that large developments should be required to provide a spectrum of intermediate units such that the average unit is targeted at household with an income of £32,700 (or updated version of this figure.)</p>	with a range of incomes below the Upper limit' i.e. £49,000.	
79	Brent Cross Cricklewood Regeneration Partnership	Para. 4.7	<p>The Council should be aware that the retention of 100% of staircasing receipts will decrease the value that developers are paid for their units. The consequence of this is that (where viability is an issue), the developer will be unable to provide as many affordable units as would have been possible if staircasing receipts had been retained. However, where the Housing Corporation has provided grant towards the provision of shared ownership unit's grant would have to be repaid before staircasing receipts were realised.</p> <p>We recommend the deletion of this principle from the SPD as it is too inflexible and it may not be appropriate in circumstances where viability is an issue.</p>	The Council recognises the sub-regional arrangements for reinvestments.	Change Amend last sentence as follows: 'in the borough where possible'
80	Brent Cross Cricklewood Regeneration Partnership	Para. 6.5	We welcome the Council's acknowledgement that all the planning gains sought from a particular site should be considered together because the ability of any site to contribute toward such gains is fixed by the economics of the development.	The Council welcomes this support	No change
81	Brent Cross Cricklewood Regeneration Partnership	Housing Needs Survey (HNS)	We welcome the publication of the new Housing Needs Survey (HNS) and have reviewed our figures in the light of its findings. However, the LB Barnet's new HNS is an assessment of need not a housing market analysis and as a borough-wide document has limited value as a development tool within the Brent Cross / Cricklewood regeneration area.	The Council in its response to draft PPS 3 in February 2006 highlighted several concerns about Housing Market Assessments given the additional demands they create. The draft guidance failed to establish an appropriate level for community engagement. The Council also questions the capacity of house builders, RSLs and local strategic partnerships to participate in	No change

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				partnerships on Houses in Multiple Occupation. The Council awaits the publication by DCLG of final guidance on housing market assessments. This is expected to be published with PPS 3.	
82	Brent Cross Cricklewood Regeneration Partnership	Para. 10.3	Restricting the market in this way would make it harder for the development to achieve the best values for its affordable housing offer, again with implications for viability and the scale of the affordable housing the could be offered. It is also no longer necessarily the case that all affordable housing will be delivered, owned and managed by RSLs. In recent years, the Government's decision to allow developers to bid directly for Social Housing Grant is evidence of the move towards a greater diversity of affordable housing providers.	The Council considers that the SPD wording provides flexibility on the matter of joint working. If an Affordable Housing Provider has a good local track record in housing management it is not excluded.	No change
83	Brent Cross Cricklewood Regeneration Partnership	Para. 10.8	<p>Given the uncertainties associated with the availability of grant, especially on Section 106 sites, to include variation in the economics of development, we understand the Council's intention to give developers clear indications of the amount they can expect to receive for the provision of affordable housing. We are surprised that the Council has chosen to use TCI as the basis of such a model because the data that underlies the figures became officially obsolete in April 2006 whereas the intention of the SPD must be to provide durable guidance to developers. TCI does have the significant advantage of being relatively familiar to developers and simple to use but it will become increasingly out of date with time and could therefore be an inappropriate basis for the negotiation for large developments with multiple phases in particular. Whilst we recognise that the single maximum price which can be calculated from paragraph 10.8 and Appendix 3 is a useful benchmark, it may not be appropriate in all cases. In particular, those developments which are built on very heavily encumbered or contaminated land and developments where other elements of the planning gain package must be given priority will struggle to achieve significant levels of affordable housing if significantly higher prices cannot be achieved for the affordable housing.</p> <p>The price paid by RSLs should be a matter to be negotiated between the developer and the RSL in order to ensure that an agreement achieves the maximum benefit from the affordable housing opportunity offered by the site.</p>	The Council agrees that TCI is familiar to developers and simple to use and therefore proposes to continue their usage. The figures in Appendix 3 are Barnet Total Cost Indicators (BTCI) which is appropriate for local circumstances. BTCI enables the Council to be transparent about how much a developer/landowner can expect to receive for any affordable housing to aid any financial appraisals a developer may require when acquiring land for development. These indicators are set at a level where the Council is likely to attract Housing Corporation funding and enables us to demonstrate that there is additional affordable housing gained through S106 agreement as opposed to other traditional ways of procuring affordable housing as stated in Circular 6/98. The BTCIs will increase annually from 1 April	Change Amend Para 10.8 as follows – In last sentence add 'Barnet' before Total Cost Indicator Amend appendix 3 to state The BTCIs will increase annually from 1 April 2007 with the Retail Price Index (RPI).

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			We recommend that the Council undertakes to update the figures contained in Appendix 3 on an annual basis and that the council are prepared to negotiate with developers from this starting point.	2007 by the Retail Price Index (RPI).	
84	St. Georges Central London Ltd.	Para. 1.1	<p>Para should read: The planning system can make an important contribution towards both sustainable communities and development and affordable housing. The purpose of this Supplementary Planning Document (SPD) is to provide advice to developers and affordable housing providers, including Registered Social Landlords (RSLs), on the Council's approach to affordable housing provision.</p> <p>This paragraph should make reference to affordable housing providers generally, including RSLs. Following new provisions in the Housing Act 2004 qualifying private organisations may now apply for grant funding from the Housing Corporation to supply affordable housing in addition to RSLs. This SPD should therefore acknowledge that affordable housing may be provided by providers other than RSLs. Mention is made in paragraph 9.1 and 10.3 of other Affordable Housing Providers (AHP) but the Introduction section should refer to the recent changes and confirm that AHPs will not be treated any differently to RSLs.</p>	The Council considers that the SPD wording provides flexibility on the matter of joint working. If an Affordable Housing Provider has a good local track record in housing management it is not excluded.	No change
85	St. Georges Central London Ltd.	Para 1.3	The word "update" on the second line should read as "updates".	The Council considers 'update' is more appropriate.	No change
86	St. Georges Central London Ltd.	Para. 1.7	The relevant web link addresses are missing from this paragraph and should be inserted.	Agree	Change At Para 1.7 add web links
87	St. Georges Central London Ltd.	Para. 2.5	Policy 3A.6 (Definition of Affordable Housing) should, on the 4th line, refer to "low cost market housing". Likewise with Policy 3A.7A (Affordable Housing Targets)	Agree	Change At Para 2.5 after low-cost add 'market'
88	St. Georges Central London Ltd.	Para. 4.5	<p>The paragraph suggests that developers will only be permitted to deliver a specified proportion of intermediate homes for persons that fall within three income brackets. It is considered inappropriate to specify a favoured form of tenure.</p> <p>Whilst the objective of this restriction, to secure intermediate homes for a range of low income families is laudable, the effect of these restrictions has not been considered either within this draft SPD or</p>	This is in accordance with the Mayor's SPG. Para 15.9 of that document states that 'Local Planning Authorities should seek to ensure that intermediate provision provides for households with a range of incomes below the	No change

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			<p>within the Sustainability Appraisal.</p> <p>The policy is not workable in practice and will not help to speed up the delivery of affordable homes in this Borough. The Council should not seek to prescribe income levels for intermediate housing within an SPD. Income levels, by their very nature, fluctuate over time making it almost impossible to ensure That over a period of years the occupier of the intermediate flat is in fact within the correct income bracket for that particular unit.</p> <p>In our view such prescription will lead to further delay and will add further complexity and bureaucracy to the delivery of affordable homes by RSLs. This will not have the beneficial effect on affordable housing identified with the Sustainability Appraisal but will instead have an adverse effect.</p>	Upper limit' i.e. £49,000.	
89	St. Georges Central London Ltd.	Para. 4.6	<p>The Council must recognise that affordable housing covenants should not bind the following class of persons:-</p> <ul style="list-style-type: none"> <li>» Any mortgagee or charge of the holder of any freehold or leasehold interest in an affordable housing unit or any receiver or manager (including an administrative receiver) or</li> <li>» otherwise by a party who has provided loan facilities to a freehold or leasehold owner or its successor in title</li> <li>» Any occupier of an affordable housing unit who shall exercise any statutory power to acquire or buy that unit from an RSL pursuant to the Housing Act 1985 or the Housing Act 1996 or its successor in title</li> <li>» Any shared ownership lessee who has acquired 100% shares in a shared ownership unit.</li> </ul> <p>Affordable housing units secured through the planning process should therefore be retained subject to those exceptions listed above.</p>	The Council recognises that S106 agreements contain clauses which allow for exclusions because of right to acquire or 100% staircasing.	No change
90	St. Georges Central London Ltd.	Para. 5.1	<p>The Council should recognise that schemes for solely student housing should "not normally be appropriate" for a planning obligation requiring an element of social rent or intermediate housing (paragraph 3.42 of the London Plan).</p> <p>Reason – The Council states that student housing (i.e. halls of residence, cluster flats or hostels) "do not constitute affordable housing</p>	The Council does recognise the contribution of student accommodation to housing and educational provision in Barnet. The Mayor's SPG at Para 16.1 considers that sstudent housing is not equivalent to social housing, as it is	No change



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			and will not be accepted as part of the affordable housing contribution". Whilst the Council quotes the Mayor's SPG that student housing should not be considered as equivalent to social housing, it fails to recognise guidance in the London Plan (paragraph 3.28) that notes that student housing adds to the overall supply of housing and may reduce pressure on the existing supply of market and affordable housing.	not permanent housing and is only provided on the basis that an individual is a member of a specific educational institution.	
91	St. Georges Central London Ltd.	Para. 6.2	The paragraph should read: "With regard to the London Plan objective of a 70/30 social rented/intermediate split, the suitability of the site for different forms of provision, the economics of site development, the individual site costs, the availability of public subsidy, and where appropriate, other planning requirements or obligations, the Council will negotiate an appropriate affordable mix which delivers wider sustainable development and regeneration objectives for Barnet." Reason - To align the SPD with the wording of paragraph 18.5 of the London Plan and Circular 06/98.	The SPD is clear and concise. These issues are already covered in Para 6.5.	No change
92	St. Georges Central London Ltd.	Para. 6.4	This paragraph is unclear for a number of reasons. First, the trigger for the provision of affordable housing is Council policy H5 which comprises sites of 10 or more units gross or 0.4 hectares or more.  The implication in paragraph 6.4 is that the Council's residential space standards will also be used to assess the requirement for affordable housing. This would be contrary to policy H5 which sets out the relevant threshold level and moreover seeks to introduce additional policy requirements through SPD which local planning authorities are prevented from doing. Secondly, it is unclear how the Council has calculated the 50% floor space requirement.  Finally, in those schemes that include an element of commercial floor space provision, the Council should not seek to include this floor space within the residential floor space calculations.	The SPD is clear on this matter and does not provide new policy. The affordable housing threshold is clearly set out in the UDP policy framework. The Residential Space Standards will be primarily used to assess schemes that fall just below the 10 unit threshold.	No change
93	St. Georges Central London Ltd.	Para. 6.5	Paragraph should read: "In such circumstances the onus will be on the applicant to demonstrate that these costs are not offset by depreciated land value or cannot be recouped in the sale price of units. In cases where there are genuine unforeseen costs associated with the site (e.g. unexpected contamination) and all other sources of remedial	The Council is entitled to expect the developer to meet the costs of the IFA. The Council respects confidentiality in these matters.	No change

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			<p>finance have been exhausted, the Council will expect strictly confidential "open book" negotiations and may seek independent viability advice on both the costs and values. It will also require a strictly confidential Independent Financial Appraisal (IFA) to assist in determining applications as one of the methods of assessment. The cost of this will be borne by the parties involved. Where there is a potential conflict between objectives the Council will review the relative priority of the obligations sought."</p> <p>Paragraph B38 of Circular 05/05 highlights that both parties may wish to agree to involve third parties. On the basis that it is only by mutual agreement between both parties that third parties become involved, the cost should therefore also be agreed and borne by both parties and not solely by the developer as stated in the SPD. In addition, it should be recognised within the SPD that the provision of any financial information provided by the developer should be on a strictly confidential basis. The paragraph should be reworded accordingly.</p>		
94	St. Georges Central London Ltd.	Para 6.5	<p>The paragraph should read:  "Estate regeneration and redevelopment schemes of existing affordable housing schemes will only be acceptable where there is no net loss of housing or affordable housing. Barnet has embarked on a major program to regenerate its four largest estates (Grahame Park, Stonegrove &amp; Spur Road, West Hendon and Dollis Valley) and transform them into thriving mixed tenure neighbourhoods. The regeneration program will replace 3,500 Council homes with 8,000 new homes – for existing tenants, for shared owners and key workers, and for market sale. The Council will negotiate the proportion of affordable housing in light of the suitability of the site for different forms of provision, the economics of site development, the individual site costs, the availability of public subsidy, and where appropriate, other planning requirements (e.g. S106 Agreements) and the mix which best delivers the wider sustainable development and regeneration objectives for Barnet.</p> <p>The calculation on whether there is a loss of affordable accommodation will be made in habitable rooms rather than dwellings, where the redevelopment of an estate is providing a housing mix more appropriate to the needs of existing and future residents.</p>	The Council will negotiate what it considers to be the most appropriate affordable housing for Barnet addressing local priorities.	No change.

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			Reason - Update in accordance with Policy 3A.8 of the London Plan (2004) and paragraph 18.5 of the Greater London Authority's Supplementary Planning Guidance on Housing November 2005).		
95	St. Georges Central London Ltd.	Para. 7.1 Redevelopment of large plots	<p>The Council's affordable housing threshold should only Apply to the net increase in units on conversions or new development proposals.</p> <p>Reason – Any proposed development involving the retention of existing dwellings would provide significant town planning benefits by safeguarding existing stock and improving the built environment and residential amenity.</p> <p>It is considered unreasonable that the Council expects an applicant to provide a contribution to affordable housing provision in respect to existing dwellings. This is a retrospective approach to the delivery of affordable housing and does not seek to promote development But merely restrict it by imposing onerous and excessive planning requirements. In addition, the Council should recognise the extra costs involved in the demolition or conversion of existing residential units on Brownfield sites and this should be taken in to account when negotiating the affordable housing provision.</p>	The gross figure is supported by the Mayor's Housing SPG Para 18.10.	No change
96	St. Georges Central London Ltd.	Para.7.2 Loss of affordable housing	<p>Review paragraph for grammatical and typographical errors.</p> <p>Reason – Full stop missing from end of second sentence.</p>	Agree	Change as requested.
97	St. Georges Central London Ltd.	Para. 7.3	<p>The paragraph should read as follows:          “The Council seeks to retain land that meets strategic requirements for small, medium and large-scale industrial users. However if there is no realistic prospect of re-use purely for employment purposes, The Council will consider favourably planning applications for housing or mixed use development.          Paragraph 42 (a) of PPG 3 states that “Local planning authorities should consider favourably planning applications for housing or mixed use development...” It does not say that land no longer needed for industrial or commercial use needs to provide mixed-use development for employment and housing as stated in the SPD. Paragraph 7.3 should therefore be re-worded to reflect paragraph 42 (a) of PPG3.</p>	Barnet's UDP adopted in 2006 provides the policy framework for the borough. Therefore planning applications will be determined on this basis.	No change
98	St. Georges Central London	Para. 7.5	The Council considers that a full re-assessment of affordable housing provision is required where a change of use is sought for residential use	The wording of Para 7.5 is clear that a full re-assessment is required.	No change.

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	Ltd.		<p>post grant of permission. The Council should not, however, assume that a full range of affordable provision can be provided as a result of such an application. The Council must have regard to the following points:-</p> <ul style="list-style-type: none"> <li>» Whether or not the development has been completed pursuant to the permission/the relative stage of the construction process</li> <li>» The existing mix and tenure of residential units</li> <li>» The maintenance arrangements of any RSL involved in the scheme and the extent to which the RSL can manage any further affordable provision in other locations within the scheme</li> </ul>		
99	St. Georges Central London Ltd.	Para. 8.2	The letter 'a' should be placed before the word grant to improve readability.	The Council considers the sentence reads well as it is.	No change.
100	St. Georges Central London Ltd.	Para.8.2	<p>Compliance with Scheme Development Standards (SDS) is a specific Housing Corporation matter which is only relevant to facilitate grant funded units.</p> <p>Paragraph 8.2 should be re-worded to detail that were grant is not available or sought then compliance with SDS is not relevant.</p>	The Council seeks to deliver high quality, environmentally sensitive homes. These objectives apply to all new homes in the Borough. Market housing will also be expected to conform to very high environmental and sustainable development standards. The Council will provide further guidance on delivering high quality environmentally sensitive homes in the forthcoming Sustainable Development SPD.	No change.
101	St. Georges Central London Ltd.	Para.8.3	Unnecessary space found in the word 'rented' in last sentence.	The Council welcomes this correction.	Change as requested
102	St. Georges Central London Ltd.	Para.8.3 and 8.4	<p>Paragraph 8.3 should read as follows:</p> <p>"It is unrealistic to expect that all of Barnet's housing needs can be met. Needs therefore have to be prioritised. The Council expects the mix of social rented accommodation to meet priority housing need. On this basis the Council will support grant funding if required for the scheme. The allocation of affordable housing units will be guided by up to date housing needs assessments.</p>	The figures on dwelling mix provide a guide for negotiations and are based on addressing priority need.	No change

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			<p>Paragraph 8.4 should be deleted. Reason – The prescribed mix of units shown in paragraphs 8.3 and 8.4 are unduly prescriptive and does not allow for the flexibility required for a development proposal to meet identified local housing needs. Housing mix should be informed by up to date housing surveys and the appropriate requirements of the selected affordable housing provider who is working in partnership with the applicant. Accordingly, paragraph 8.3 should be amended accordingly and paragraph 8.4 should be deleted.</p> <p>Furthermore, the Council states at paragraph 3.2 third bullet point that there is a shortfall for all sizes of affordable accommodation with the largest shortfall being for “one and three bedroom homes”. The requirement in paragraph 8.4 for “one and two” bed roomed homes is therefore entirely inconsistent with the findings of the Council’s own housing needs assessment. The justification for prioritising two bed homes appears to be baseless.</p>		
103	St. Georges Central London Ltd.	Para.8.6	The Council seeks affordable levels of service charges and maintenance costs for low cost home ownership. It also seeks the delivery of modern and affordable homes. A balance must be struck between the need for affordable charges and the provision and maintenance of desirable places in which people want to live.	<p>The Council seeks to deliver high quality, environmentally sensitive homes. These objectives apply to all new homes in the Borough. Market housing like affordable housing will also be expected to conform to very high environmental and sustainable development standards. The Council will provide further guidance on delivering high quality environmentally sensitive homes in the forthcoming Sustainable Development SPD.</p> <p>The SPD clearly sets out the importance of addressing these issues at pre-application stage. The onus is on developers to work with RSLs on design matters.</p>	No change
104	St. Georges Central London	Para. 8.6	This policy is unduly prescriptive for large residential development schemes where occupiers of both affordable and private market units	The SPD is not unduly prescriptive as the Council applies the residential	No change

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	Ltd.		<p>have the opportunity to purchase permits to park within the development site, but may chose not to do so. In these circumstances the developer may reasonably impose a charge for the permit payable by both the affordable and private unit occupiers at varying levels of cost. As car parking space requirements are generally lower for Affordable Housing than those required for general market housing, the Council should also recognise in paragraph 8.6 that it will be flexible in applying parking standards to the level of spaces to be provided for Affordable housing.</p> <p><b>Reason</b> - To conform to paragraph 14 of Circular 06/98.</p>	parking standards as set out in the UDP to all tenures.	
105	St. Georges Central London Ltd.	Para 9.1	<p>The first sentence of this paragraph should read as follows: "The Council expects affordable housing to be developed on-site and for completed accommodation to be transferred to a Registered Social Landlord or Affordable Housing Provider. nominated by the Council."</p> <p>We strongly object to this point on the basis that many developers may have existing relationships with other affordable housing providers that they may wish to work with. Furthermore, Circular 6/98 advises that Councils should not seek to prescribe which partners developers should use to deliver affordable housing but rather should aim to ensure that arrangements will deliver the objectives of the Council's affordable housing policy. Furthermore, for some development sites within the Borough, the Council has previously agreed to the developer notifying the Council of the AHP it proposes to select. In the event that the Council raises reasonable objections to the developer's choice of AHP, the developer and the Council may jointly agree an alternative AHP. This is entirely reasonable and ensures that the Council is involved in the selection of an AHP without unfairly imposing its nomination list on the developer. This should be amended accordingly.</p>	The Council considers that the SPD wording provides flexibility on the matter of joint working. If an Affordable Housing Provider has a good local track record in housing management it is not excluded.	No change
106	St. Georges Central London Ltd.	Para 9.1	<p>Final sentence should be reworded to ensure more emphasis is placed on pre-application discussions being utilised to decide on the level of on-site provision of affordable housing at the pre-design stage, rather than merely saying the Council will seek revisions to proposals if it considers that the particular design of a proposal is not adequately accommodating affordable housing on site. The sentence should include a reference to paragraph 10.2 of the SPD.</p>	The Council agrees to add a new sentence about the benefits of pre-application discussions.	Change Add new last sentence : 'The Council encourages pre-application discussions to address affordable housing issues at

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					the pre-design stage.'
107	St. Georges Central London Ltd.	Para 9.4	Review paragraph for word typographical error.	Agreed	Change as requested
108	St. Georges Central London Ltd.	Para 9.6	The mechanism fails to take account of Costs incurred, for example, those required for the sale of a unit. The formula set out should be clarified as there seems to be a contradiction between the references to individual and total units.	The Council recognises that for housing built for private sale marketing is a key cost that should be included in their financial viability appraisal.	No change
109	St. Georges Central London Ltd.	Para 10.2	<p>The wording of the paragraph should be amended as follows:            "Applicants and housing developers need to ensure that sufficient information is supplied to allow pre-planning discussions to be productive. The Council recommends that the following information is provided:</p> <ul style="list-style-type: none"> <li>» Total amount of housing proposed in terms of units and habitable rooms;</li> <li>» Total amount of affordable housing proposed;</li> <li>» Amount of social rented and intermediate housing proposed;</li> <li>» Number of bedrooms and floor areas of both the social rented and intermediate housing units;</li> <li>» For each form of tenure (social rented and intermediate), the numbers of dwellings of different sizes (in terms of number of bedroom)</li> <li>» For each form of tenure the number of affordable wheelchair units to be provided.</li> </ul> <p>Developers undertake pre-application discussions to establish if the "principle" of development is likely to be considered acceptable by the Council before            Any substantial fee based work is undertaken. This pre-application requirement described in the SPD will require developers to undertake a significant amount of research prior to establishing whether the "principle" of development is acceptable.</p> <p>Refer to Draft PPS 3 paragraph 40.</p>	<p>The Council has set out its pre-application information requirements in the SPD as a means of addressing all affordable housing issues prior to submission of a planning application. This has obvious benefits for developers in helping to speed up the application process.</p> <p>The Council notes that the objector's objection to Para 9.1 supports pre-application discussions at the pre-design stage.</p>	No change

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			It should be made clear that the list of information stated in the SPD is only a suggestive list and that it is not a formal requirement of pre-application discussions. Furthermore, the information sought in the final four bullet points is unduly onerous for the developer to provide at the pre application stage. Accordingly, we consider that the last four information requirements should be deleted from the SPD.		
110	St. Georges Central London Ltd.	Para 10.3	<p>Paragraph should read:          " The Council will agree the RSL          With the developer who will have a satisfactory local housing management service. In addition, the RSL will          Need to be able to secure..."</p> <p>We object to this point on the basis that many developers have existing relationships with other affordable housing providers that they may wish to work with. Furthermore, Circular 6/98 advises that Councils should not seek to prescribe which partners developers should use to deliver affordable housing but rather should aim to ensure that arrangements will deliver the objectives of the Council's affordable housing policy. This should be amended accordingly.</p>	The Council considers that the SPD wording provides flexibility on the matter of joint working. If an Affordable Housing Provider has a good local track record in housing management it is not excluded.	No change
111	St. Georges Central London Ltd.	Para 10.4	<p>The last sentence of this paragraph should be reworded to read:          "If open market dwellings are being provided as part of the development, the planning obligation will usually restrict or prevent occupation of a specified proportion of the market housing until the affordable housing is completed and transferred to a RSL."          Reason – Refer to Paragraph 33 A)a) of Circular 06/98</p> <p>The present wording of the SPD suggests that the Council is able to restrict all of the market dwellings from being occupied until the affordable housing is completed. This is entirely unreasonable and contrary to accepted practice for large, phased developments and Circular 06/98 which allows a percentage of market housing to be occupied prior to the transfer of the affordable units. This is necessary to ensure the continuing viability of a development and enables a developer to secure a revenue stream to meet upfront development costs.</p>	Agreed. This is already the practice	Change As requested
112	St. Georges Central London Ltd.	Para 10.5	<p>Paragraph 10.5 should be deleted.          Reason - The opportunity to obtain Housing Corporation Grant is made available to all developments providing for an element of affordable</p>	It is not the Council's intention to avoid using Housing Corporation grant. The wording has therefore	Change End of sentence should read



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			<p>housing. It is unreasonable for the Council to attempt to restrict access to the grant by expecting developers to provide subsidy for the cost of the affordable homes themselves in addition to the provision of land or affordable units. Restricting access to the grant by expecting developers to subsidies</p> <p>The cost of the affordable units may jeopardise the financial viability of schemes and may ultimately reduce the amount of affordable housing to be provided in the Borough.</p>	been revised.	'...in order to minimise the need for public subsidy'.
113	St. Georges Central London Ltd.	Para 10.6	<p>The paragraph should be reworded as follows:            "If the proposed scheme requires a grant, the Council will assess the financial assumptions made by the developer through the use of a strictly confidential Independent Financial Appraisal. This will help to determine the grant requirements. The costs of the IFA should be shared between the Council and the developer".</p> <p>Reason - The IFA should be confidential in accordance with paragraph B38 of Circular 05/05 which highlights that both parties may wish to agree to involve third parties, on the basis that it is only by mutual agreement between both parties that third parties become involved. The cost should therefore also be agreed and borne by both parties and not solely by the developer as stated in the SPD.</p> <p>The paragraph should be reworded accordingly.</p>	The Council is entitled to expect the developer to meet the costs of the IFA. The Council respects confidentiality in these matters.	No change
114	St. Georges Central London Ltd.	Para 10.7	<p>The last sentence of this paragraph should be deleted.</p> <p>We object to this point on the basis that some developers may have existing relationships with other affordable housing providers that they may wish to work with. Furthermore Circular 6/98 advises that Councils should not seek to prescribe which partners developers should use to deliver affordable housing but rather should aim to ensure that arrangements will deliver the objectives of the Council's affordable housing policy. This should be removed accordingly.</p>	The Council considers that the SPD wording provides flexibility on the matter of joint working. If an Affordable Housing Provider has a good local track record in housing management it is not excluded.	No change
115	St. Georges Central London Ltd.	Para 10.8	<p>The final sentence of this paragraph should be deleted.</p> <p>The Council should not seek to prescribe the maximum amount that an RSL will pay for affordable homes. This is a matter for the RSL in negotiations. Furthermore, the Council should note that the TCIs specified in Appendix 3 expired in April 2006. Accordingly they should be deleted from the SPD.</p>	The Council considers that TCI is familiar to developers and simple to use and therefore proposes to continue their usage. Usage. The figures in Appendix 3 are Barnet Total Cost Indicators (BTCI) which is appropriate for local circumstances. BTCI enables the Council to be	

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				transparent about how much a developer/landowner can expect to receive for any affordable housing to aid any financial appraisals a developer may require when acquiring land for development. These indicators are set at a level where the Council is likely to attract Housing Corporation funding and enables us to demonstrate that there is additional affordable housing gained through S106 agreement as opposed to other traditional ways of procuring affordable housing as stated in Circular 6/98. The BTCIs will increase annually from 1 April 2007 by the Retail Price Index (RPI).	
116	St. Georges Central London Ltd.	Para.12.1	The word 'obligation' in the second line should have an "s" at the end. The word 'encourage' in the second sentence should have an's' at the end.	Agreed	Change As requested
117	St. Georges Central London Ltd.	Para. 12.1	Paragraph 12.1 should make reference to DCLG's Good Practice Guidance on the use of Planning Obligations.	Agreed	Reference to Community Local Government's Good Practice Guidance on the use of Planning Obligations will be included.
118	St. Georges Central London Ltd.	Para. 12.1	This paragraph provides no further guidance on planning obligations for affordable housing than is contained in national policy guidance. Furthermore, there is no policy requirement for the inclusion of either design briefs or management schedules within a S106 Agreement. These are unnecessary as the affordable housing provisions will adequately describe the units to be provided without the need for producing further documents. There is no legal requirement for such documents and by seeking to include them the Council is effectively creating an additional source of delay in the negotiation of S106	The Council considers that it is appropriate for S106 agreements rather than planning conditions to cover these matters.	No change

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			<p>Agreements. Ultimately this will impact on the delivery of affordable housing in the Borough. Furthermore, the allocation of units for development proposals that provide for affordable housing should be agreed by the developer, RSL and local planning authority on a site by site basis, and not in accordance with the Council's existing agreements with RSL's which may be outdated or unrelated to the site in question.</p>		
119	St. Georges Central London Ltd.	Appendix 3 – Total Cost Indicators	<p>This table should be deleted. The TCIs expired in April 2006. In any event the table purports to reflect TCIs for Barnet (see heading) but fails to reflect the Housing Corporation's LA adjustment.</p>	<p>The Council considers that TCI is familiar to developers and simple to use and therefore proposes to continue their usage. The figures in Appendix 3 are Barnet Total Cost Indicators (BTCI) which is appropriate for local circumstances. BTCI enables the Council to be transparent about how much a developer/landowner can expect to receive for any affordable housing to aid any financial appraisals a developer may require when acquiring land for development. These indicators are set at a level where the Council is likely to attract Housing Corporation funding and enables us to demonstrate that there is additional affordable housing gained through S106 agreement as opposed to other traditional ways of procuring affordable housing as stated in Circular 6/98. The BTCIs will increase annually from 1 April 2007 by the Retail Price Index (RPI).</p>	<p>Change Amend appendix 3 to state The BTCIs will increase annually from 1 April 2007 with the Retail Price Index (RPI).</p>
120	Catholic Trust for England and Wales	Para 1.2	<p>The Council note that the SPD supplements the policies within the Unitary Development Plan recently adopted in May 2006. It is essential that any new policies are introduced through the Local Development Framework mechanism and fully tested by that rigorous process. Explanatory documents in general are to be welcomed, but it is contended, some of the "Explanations" given in this document go beyond that point to create new policies.</p>	<p>The Council has published this SPD in order to elaborate and clarify how the Council's affordable housing policies as set out in the UDP (adopted May 2006) will operate. The SPD has been prepared in accordance with PPS 12 – Local</p>	<p>No change</p>

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				Development Frameworks.	
121	Catholic Trust for England and Wales	Para 1.6	The Council through its Three Strands Approach wants to deliver new housing. The financial implications of the way in which contributions are now to be sought for affordable housing will reduce the number of schemes coming forward that would provide affordable housing, due to the additional burden to the developer.	It should be noted that the 2004 London Housing Capacity Study showed that 83% of the Boroughs housing supply will be from large sites.	No change
122	Catholic Trust for England and Wales	Para 2.4	The document refers to several paragraphs from Draft PPS 3): Housing (December 2005). The Government guidance makes several references to the "level of developer contribution that can be realistically sought on the site". This is critical in taking any supplementary documentation forward, if the contribution sought is too great, the scheme will not be built out with the obvious corollary that no affordable housing will be provided.	The SPD has been prepared in accordance with PPS 12 – Local Development Frameworks which states that SPDs ' may cover a range of issues, both thematic and Site specific, which may expand policy or provide further detail to policies...	No change
123	Catholic Trust for England and Wales	Para 2.5	The London Plan 2004 gives the Mayor's strategic target split of affordable housing provision as 70% Social Rented and 30% Intermediate Housing. It should be acknowledged however that the GLA have accepted widely differing splits of tenure and overall percentages of affordable provision, and that therefore each case should be looked at on its own merits. Again at Policy 3A.8 The London Plan refers to the need to encourage rather than restrain residential development and that individual circumstances should be taken into account and that targets should be applied flexibly.  It is submitted that this SPD document makes the application of the UDP policies more rigid and less flexible than the policies read on their own merits. Many of the later statements in the SPD leave no room for individual circumstances to be taken into account.	The SPD provides flexibility and clearly sets out Barnet's approach to delivering an appropriate tenure split for the Borough.	No change
124	Catholic Trust for England and Wales	Para 6.2	The UDP policy states that the Council 'will seek to negotiate the maximum reasonable amount of affordable housing' on sites of a certain size. It is submitted that the statement made at 6.2 that 'The council will normally expect from negotiations on affordable housing that 50% of the accommodation built will be affordable' is effectively re-writing the policy to require 50% affordable housing on any qualifying site.	It is within the SPD's remit to cover a range of issues which may expand policy or provide further detail to policies.	No change

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125	Catholic Trust for England and Wales	Para 6.3/6.4	<p>Council seeks to use all three ways of calculating the contribution depending upon which creates the highest contribution. The Mayor's Housing SPG states the different methods of calculating the contribution it does not make the statement that 'where the proposed floor space of the dwelling is significantly over the Council's proposed residential space standards, 50% of the propose floor space will be used' This is introducing the 50% figure as a given and is beyond the adopted policy. The Mayor's SPG states that in such circumstances 'it is more appropriate for the calculation of the affordable housing to be in terms of habitable rooms or floor space'. Barnet should closely follow the Mayor's guidance.</p> <p>It is unfortunate that the Council has not produced specific detail of market space standards at the same time as the SPD. It is difficult to see that a 'one-size' fits all standard can be successfully created.</p>	<p>The use of options on affordable housing calculations enables the Council to secure the affordable housing that is appropriate to meeting its strategic objectives.</p> <p>The Residential Space Standards will be primarily used to assess schemes that fall just below the 10 unit threshold. The Sustainable Development SPD will include the new standards and will be issued for public consultation in late 2006.</p>	No change
126	Catholic Trust for England and Wales	Para 7.1	<p>Whilst the Council's intention to apply the affordable housing threshold to current residential sites is understandable, the contention put forward that the contribution should be sought on the number of units stated within the application rather than taking into account the units lost by the scheme will have a negative effect on the rate at which small schemes are brought forward for development. It also goes against the general thrust of government guidance that the intensification of existing urban sites is an important source of housing development, as contained in draft PPS3. It is submitted that the calculation of the affordable housing contribution should be made on the basis of the net gain of housing units on the site.</p>	<p>The gross figure is supported by the Mayor's Housing SPG Para 18.10.</p>	No change
127	Catholic Trust for England and Wales	Para 7.5/7.7	<p>The Councils SPD at both of these paragraphs refers to the need to re-assess the provision of affordable housing where there are subsequent proposals on part of a site. It is submitted that this will have a detrimental effect to the provision of affordable accommodation as it will reduce the number of schemes coming forward. It appears to ignore the practical problems of sites being split into differing ownerships and the remaining 'site' being less than 0.4 hectare and therefore outside the relevant policies.</p> <p>This proposal also takes the Councils consideration of contributions beyond that which is stated within the adopted UDP policies. It is submitted that this change is beyond that of a supplementary document and should be instigated through the LDF process.</p>	<p>This is clearly within the remit of the SPD and it is reasonable for the Council to set this out. The Council has a 50% strategic housing target to meet and it is important that this SPD highlights the means of delivering this housing.</p> <p>For clarification the Council will seek affordable housing on sites of 10 units or more, or 0.4 hectares or more. If a site is less than 0.4 it will be still within the remit of the policy if it is capable of generating 10 units or</p>	No change

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				more.	
128	Catholic Trust for England and Wales	Para 8.6	<p>Whilst elements of a scheme can be designed to reduce the costs per unit, where the affordable housing is provided on site, it is also expected that the design quality should be of the highest level and identical to that specified for the market housing. It is unrealistic to expect that the levels of service charges can be kept low if the specification has to be the same as for the market housing. Equally it is beyond the powers of market housing to cross subsidise the service charges for the affordable housing.</p> <p>There are many areas of the Borough where any development is likely to be of particularly high quality design, facilities and landscaping. If the Council wish to see affordable housing created on those sites, it is submitted that the Council will have to accept that those service charges are the same as for the private sector or accept that the affordable housing is built off site or a payment in lieu is accepted.</p>	<p>The Council seeks to deliver high quality, environmentally sensitive homes. These objectives apply to all new homes in the Borough. Market housing like affordable housing will also be expected to conform to very high environmental and sustainable development standards. The Council will provide further guidance on delivering high quality environmentally sensitive homes in the forthcoming Sustainable Development SPD.</p> <p>The SPD clearly sets out the importance of addressing these issues at pre-application stage. The onus is on developers to work with RSLs on design matters.</p>	No change.
129	Catholic Trust for England and Wales	Para 9.1	The document suggests at paragraph 9.1 that the housing created should be transferred to a Registered Social Landlord or Affordable Housing Provider nominated by the Council. It is submitted that this is unnecessarily prescriptive and that any RSL or AHP could be used.	The Council considers that the SPD wording provides flexibility on the matter of joint working. If an Affordable Housing Provider has a good local track record in housing management it is not excluded.	No change
130	Catholic Trust for England and Wales	Para 9.3	The design issues raised with a listed building could indeed lead to exceptional circumstance. It is submitted that this could equally arise in a Conservation Area or a site which impacted on a conservation area or listed building. The Mayor's SPG (November 2005) also gives a number of other potential scenarios which could all lead to exceptional circumstances.	The SPD is not intended to provide an exhaustive list of exceptional standards. It is quite clear that the onus is on the developer to prove an exceptional case.	No change
131	Catholic Trust for England and Wales	Para 9.4	If an off-site solution is accepted by the Council, it is highly unlikely that any element will be provided within the main site, as the reasons for not placing it on the site would apply almost certainly as much for one unit as for the total number to be created.	The SPD is clear about the differences between on-site and off-site provision.	No change

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132	Catholic Trust for England and Wales	Para 9.6	The document should make it clear that where commuted payments are made, the pooled monies are to be used only for the provision of affordable housing units within the Borough boundary rather than 'appropriate schemes in accordance with Council procedures on capital projects'.	The Council recognises the sub-regional arrangements for reinvestments.	No change
133	Catholic Trust for England and Wales	Para 10.3	It is submitted that the Council should ensure that an RSL or AHP takes the accommodation, rather than specifying which one can be used on any one scheme. This is particularly so when no Housing Corporation or local authority grant funding is being used. This does not preclude the Council having 100% nomination rights or the dwellings remaining permanently available to meet affordable housing need. It is understood that the latter requirement will preclude some public subsidy schemes where the right to staircase out is unavoidable by the RSL.	The Council considers that the SPD wording provides flexibility on the matter of joint working. If an Affordable Housing Provider has a good local track record in housing management it is not excluded.	No change
134	Catholic Trust for England and Wales	Para 10.8	It is submitted that the planning guidance should not specify that the housing created should be transferred at any particular value as it is beyond the adopted UDP policies. Each scheme should be viewed individually, taking into account all other constraints and the level of housing produced. The reference to 70% (less RSL on-costs) of the Total Cost Indicators should therefore be removed.	This is in accordance with Circular 6/98 as there is a need to demonstrate that additional affordable housing is being delivered.	No change
135	Catholic Trust for England and Wales	Para 11	This section should be removed – the Construction Training Initiative should be applied across all building sites and introduced as part of the LDF process or a review of the Councils general policies on contributions through S106 Agreements.	The SPD encourages participation in the CTI. The Council supports the Construction Training Initiative because it helps the unemployed to develop much needed construction skills. It expects developers to recognise the community benefits of schemes such as this.	No change
136	Catholic Trust for England and Wales	Para 12.2	It is expected that all agreements will cover a design brief and management schedule for the affordable housing provider. Whilst this can provide certainty it must also be recognised that unforeseen events can require changes to both the scheme and/or the RSL management of the units. Provision should be made to amend this section of the legal agreement by delegated powers rather than requiring Council Committee approval.	The Council considers that it is appropriate for S106 agreements rather than planning conditions to cover these matters. Planning permission is granted subject to S106. The revision of a S106 agreement is therefore a material consideration that can require the resubmission of a planning application.	No change

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137	Catholic Trust for England and Wales	General	Taken overall, the effect of this supplementary planning document could prove to be counter productive to the delivery of affordable housing in Barnet, particularly from small scale developments, through the financial implications and the apparent lack of flexibility in the way in which the policies are put forward. Such reuse of previously developed housing sites; be it a large house that is demolished to be replaced with flats or the sub-division of a curtilage into a number of house plots are one of the major sources of land supply in the urban environment. The danger is that all such opportunities providing over 9 units or on sites of more than 0.4ha will not be brought forward and the developers will simply take opportunities in other boroughs forward instead. There will therefore be little affordable housing created through this method. This runs counter to the general thrust of government policy and the Mayor's aims of increasing the overall provision of both private and affordable housing and the rate of construction in the boroughs.	The history of affordable housing in Barnet dates back to March 2001 when the Revised Deposit Draft UDP was published. Policy H5 then sought 30 to 50% affordable housing on sites of 15 units or more. Developers have had over 5 years to tune into the affordable housing agenda	No change
138	Housing Corporation	Para 1.10	Refers to <i>Creating Mixed and Sustainable Communities</i> . Housing Quality Indicators, which have been developed in partnership with the BRE, are the HC's benchmark to assess the quality and sustainability of schemes. It may be worthwhile giving some consideration to these within this section. This is also applicable to paragraph 8.2.	Agreed. The Council has added a reference to the UDP requirement to provide wheelchair housing.	Change Add reference to Housing Quality Indicators at Para 1.10 and 8.2
139	Housing Corporation	Para 1.10	<i>Creating Environmentally Sensitive Homes</i> The section regarding the HC eco homes rating is in line with HC core policy as 'very good' is a minimum to qualify for development funding. Lifecycle costing is considered within this paragraph, but it might be worthwhile considering how this might be quantified. For HC funded schemes we would expect whole life costs to be less than 85% of the capital costs over the life of the scheme. There is no specific mention within the supplementary document, they are possible in the main UDP, to the provision of affordable wheelchair housing and these are areas we would encourage your consideration.	The issue of lifecycle costing is a matter of detail which is not appropriate for this SPD. The Council has added a reference to the UDP requirement to provide wheelchair housing.	Change Add new Para 8.7 'There is a continuing requirement for housing which is specifically designed to wheelchair user standards and includes greater space requirements. The Housing Corporation has devised development



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					standards which are applied to all wheelchair housing built by housing associations and other agencies. In accordance with UDP policy the council will therefore seek to negotiate with housing developers to ensure that 10% of new housing on development sites of ten units and over (including in the private sector) is designed to standards set out by the Housing Corporation.'
140	Housing Corporation	Para 2.0	No reference is made to the London Housing strategy within this section. The London Housing strategy should be acknowledged as a key over-arching contextual document which will affect the majority of HC investment priorities.	This is a SPD addressing local circumstances in Barnet. It should be noted that the SPD is in general conformity with the London Plan.	No change
141	Housing Corporation	Para 2.6	Here it states that intermediate housing should be available to those on household income of less than £40,000. The London Plan states £49,000. The criteria which the Corporation use states that intermediate housing should be made available to those who are; existing social tenants, those on the housing register, DCLG defined key workers and those earning under £49,000.	Agreed	Change as requested.
142	Housing Corporation	Para 2.6	The concise definition of sub-market or intermediate rent provision used by the Corporation is a rent that is up to the maximum of 80% of the	The Council's experience of new build homes is that the out turn rents	No change

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			defined market rent within that locality, this is usually defined by the affordable housing provider in receipt of social housing grant.	of such properties are more expensive than re-let properties secured on the private market. They therefore contribute little to affordable housing. The figures that the Council has identified reflect the local position based on a robust housing needs survey.	
143	Housing Corporation	Para 4.2	It is clear that the borough intends to have regard for the London Plan's 70/30 split between rent LCHO across affordable housing development, although this may vary between sites. In assessing any site for potential social housing grant the HC must pursue where ever achievable a 70/30 mix adhering to core strategic objectives. This is also applicable to paragraph 6.2.	The Council as a matter of course recognises the funding arrangements of the Housing Corporation.	No change
144	Housing Corporation	Para 4.2 (l)	The comment here that social rented housing is provided by a registered social landlord is not necessarily entirely correct as after the Section 27(a) of the Housing Act was passed socially rented housing could also be delivered by non registered affordable housing providers. The assumption is also made in paragraph 10.7. This point is discussed further in paragraph 10.3	This is acknowledged in the SPD at Para 10.3. The Council considers that the SPD wording provides flexibility on the matter of joint working. If an Affordable Housing Provider has a good local track record in housing management it is not excluded.	No change
145	Housing Corporation	Para 4.7	States that the stair casing receipts are intended to be used within the borough. New procedures have recently been published by the HC covering the use of Recycled Capital Grant Funding from staircase receipts and other disposals. If the property is funded with Social Housing grant then it will not be possible for the stair casing receipts to be ring fenced for use within the borough. RSLs and un-registered affordable housing providers may be able to re-allocate the proceeds in other boroughs, subject to the proposals meeting the key strategic London Housing Board priorities.	The Council recognises the sub-regional arrangements for reinvestments.	Change Amend last sentence as follows: 'in the borough where possible'
146	Housing Corporation	Para 5.1	The definitions outlined make no reference to studio accommodation. The HC do not consider studio style accommodation as adequate affordable housing provision and therefore do not entertain bids for funding such house types. Does Barnet include studios as contributing towards the London Plan 50% affordable housing target?	The SPD sets no target for affordable studio accommodation. However such accommodation may be acceptable as intermediate housing if it is capable of meeting the requirements of Para 4.4.	No change

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147	Housing Corporation	Para 5.2	The provision of 100% key worker schemes by definition contributes to intermediate affordable housing. The DCLG defines eligible KW groups and consideration may be given to the sub regional research in determining whether proposed key worker developments meet a local need. During the 06/08 NAHP the Corporation has not defined any New build Home buy or Intermediate Rent development as 100% key worker in order that these products be available to wider eligible groups within the sub region.	The Council recognises the contribution of 100% key worker schemes to meeting identified need for affordable housing.	No change
148	Housing Corporation	Para 6.5	The Corporation has worked in partnership with the Council to understand the investment needs of the larger regeneration estate programmes and through this partnership working have facilitated grant funding to three of the major estates. The calculation on whether there is a loss of affordable housing will be looked at by the Corporation in the same manner as other key investment decisions and the Corporation encourage the future partnership working with the Council on future estate regeneration programmes.	The Council recognises the role of the Housing Corporation as a partner with the shared objective of achieving estate regeneration without a loss of affordable housing.	No change
149	Housing Corporation	Para 10.3	The Corporation acknowledges that the council will wish to approve any other potential affordable housing providers via the council's Head of Housing. The Corporation would wish this to be consistent with the formal process each new investment partner has to satisfy, prior to being able to have recourse to social housing grant; be this, an ALMO or a private developer.	The Council considers that the SPD wording provides flexibility on the matter of joint working. If an Affordable Housing Provider has a good local track record in housing management it is not excluded.	No change
150	Housing Corporation	Para 10.4	Affordable Housing is not necessarily available in perpetuity as certain properties can be bought by tenants through the provisions of Right to Acquire which is a statutory right. There is also the Government's Social Home buy Programme which offers tenants a choice; aimed at those who can't afford to buy but who wishes to get a foot on the ladder, available to all participating RSL's tenants.	The Council recognises that S106 agreements contain clauses which allow for exclusions because of right to acquire or 100% stair casing.	No change
151	Housing Corporation	Para 10.5	The wording here implies that Barnet wish to avoid utilising any Corporation grant and would therefore impact on Barnet's contribution towards the sub regional nomination procedure. This may not be the intention of this wording and may imply that Barnet wish to put the onus on the developer to contribute as much as possible to make the most efficient use of grant. To mitigate any doubt it may be advisable to amend the wording to remove the, ' to avoid ...the need for Housing Corporation grant.'	It is not the Council's intention to avoid using Housing Corporation grant. The wording has therefore been revised.	Change End of sentence should read '...in order to minimise the need for public subsidy'.

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152	Housing Corporation	Para 10.6	Where there is an independent financial Appraisal being carried out on potential new development to ascertain the need for Housing Corporation grant it would be demonstrating strong partnership working if the Corporation were consulted during this period and would aid the Corporation understanding of what Barnet wish to appreciate from each new affordable housing development.	The Council would support the involvement of the Housing Corporation in the IFA.	No change
153	Housing Corporation	Para 10.7	The Corporation acknowledge that the Council has a nominated RSL list and will only support bids from this list. If the Corporation feel that a development which requires grant is being proposed by an RSL who is not on the nominated list and is meeting our strategic objectives we would wish to discuss with the council the possibility of funding this RSL.	The Council considers that the SPD wording provides flexibility on the matter of joint working. If an Affordable Housing Provider has a good local track record in housing management it is not excluded. In circumstances where an RSL is not on the nominated list the Council will want to discuss this with the Housing Corporation.	No change
154	Housing Corporation	Para 10.8	Value for Money is assessed on the basis of grant per home and grant per person and RSLs are expected to supply a detailed financial workbook where a development is 15 homes or over. The purpose of this is to demonstrate the need for Corporation grant, especially on S106 schemes. The Corporation can then ascertain what additionally the grant is delivering.	The issue of lifecycle costing is a matter of detail which is not appropriate for this SPD.	No change
156	North Finchley Local Agenda 21 Group	Para 1.9	In line 2 after the words "is a significant concern for..." insert the words "the families of existing Barnet residents," In the last sentence delete "where practical" and add "and also has a 'high' Housing Quality Indicator (HQI) rating". Add new sentences that read: "In the event that the 'excellent' eco homes category becomes mandatory for publicly funded housing development then the 'excellent' eco homes category will be required for all new developments. If a "Code for Sustainable Homes" is introduced, then the standard level to be applied will be no lower than would have been required under the eco homes and HQI systems. Developments will also be required to meet the Mayor of London's recommended standards for renewable and carbon neutral schemes and include a minimum of 10% Lifetime Homes. All homes in the developments will be required to achieve secured by Design accreditation. These environmental standards will	The Council considers that the SPD addresses the need to help local people access a range of good quality housing options. A reference to Housing Quality Indicators has been added to Para 1.10. These issues are being addressed in the Sustainable Development SPD which will be published later in 2006. The adopted UDP seeks 100% Lifetime Homes.	No change

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			be applied to all the dwellings in all developments that include affordable houses, whether the affordable housing is publicly funded or not".		
157	North Finchley Local Agenda 21 Group	Para 1.10	Under "Creating High Quality New Homes" in the second and third sentences, replace the word "should" with the word "must". Delete the fourth sentence and replace with: "All housing developments in the Borough that include affordable housing must meet the higher of the environmental standards (such as eco homes and Housing Quality Indicator) required by the Housing Corporation, The London Mayor or other appropriate body at that point in time or that laid down in the Council's emerging "Three Strands Approach (Sustainable Development – Design Construction and Mixed Communities)" Supplementary Planning Document, whichever is the higher standard". Add a new sentence at the end of the existing paragraph that reads: "High density schemes of more than 80 dph or 250 hrh should reflect the research carried out by the London Housing Federation and published in their book 'Higher density housing for families: a design and specification guide' published in October 2004".	A reference to Housing Quality Indicators has been added to Para 1.10. This SPD about affordable housing. The issue of environmental standards is being addressed in the Sustainable Development SPD which will be published later in 2006.  The UDP sets the policy framework for residential density in Barnet.	No change
158	North Finchley Local Agenda 21 Group	Para 1.10	Under "Creating Mixed and Sustainable Communities" in line 5 delete the last two sentences beginning with the words "Flatted..." and "To enable..." Replace with "Whilst the suburban aspiration is to live in a house with a garden, in locations where flatted developments may be appropriate, flatted development schemes are also required to accommodate a dwelling mix, where well-designed and affordable family housing with access to private amenity space is included. To enable mixed and sustainable communities, affordable housing should be located close to local facilities and public transport and include employment opportunities".	The Council considers that the existing wording addresses these issues.	No change
159	North Finchley Local Agenda 21 Group	Para 1.10	Under "Creating Cohesive Communities" add to the end of the first sentence "and that the whole development is built to the same quality standards thus leading to a truly mixed indistinguishable high quality housing development".	The Council considers that the existing wording addresses these issues.	No change
160	North Finchley Local Agenda 21 Group	Para 1.10	Under "Creating Environmentally Sensitive Homes" delete first sentence. Replace with "The Council will ensure that all housing development meets at	The Council considers that the existing wording addresses these issues.	No change

No.	From	Section of SPD or SA	Summary of Representation	Council's Response	Council's Recommendation
			<p>Least the 'very good' category of eco homes standard with a target for 'excellent' category and also has 'high' HQI (Housing Quality Indicator) rating".</p> <p>Add new sentences that read:            "In the event that the 'excellent' eco homes category becomes mandatory for publicly funded housing development then the 'excellent' eco homes category will be required for all new developments. If a "Code for Sustainable Homes" is introduced, then the standard level to be applied will be no lower than would have been required under the eco homes and HQI systems". Developments will also be required to meet the Mayor of London's recommended standards for renewable and carbon neutral schemes and include a minimum of 10% Lifetime Homes. All homes in the developments will be required to achieve secured by Design accreditation. These environmental standards will be applied to all the dwellings in all developments that include affordable houses, whether the affordable housing is publicly funded or not".</p> <p>Delete second sentence starting with the words "As a minimum..."            Replace with "The Council will require all development in the Borough that includes affordable housing to meet the higher of the environmental standards (such as eco homes and Housing Quality Indicator) required by the Housing Corporation, The London Mayor or other appropriate body at that point in time or that laid down in the Council's emerging "Three Strands Approach (Sustainable Development – Design Construction and Mixed Communities)" Supplementary Planning Document".</p>	<p>This SPD about affordable housing. The issue of environmental standards is being addressed in the Sustainable Development SPD which will be published later in 2006. The adopted UDP seeks 100% Lifetime Homes.</p>	
161	North Finchley Local Agenda 21 Group	Para 4.3	Delete second sentence and replace with "Social rented housing provision must be available in perpetuity to Barnet Council nominees".	The Council cannot state this as it has to recognise the right to acquire on social rented properties.	No change
162	North Finchley Local Agenda 21 Group	Para 4.6	In the second sentence (Line 4) after the words "are retained" add "in perpetuity for Barnet Council nominees".	The Council cannot state this as it has to recognise sub-regional nomination rights.	No change
163	North Finchley Local Agenda 21 Group	Para 6.4	It is believed that the emerging SPD described in the first sentence is now titled the "Three Strands Approach (Sustainable Development – Design Construction and Mixed Communities)" Supplementary Planning Document. It is certainly described as such in Paragraph 1.1 on Page 6 of the accompanying Draft Sustainability Appraisal Report.	The working title of the SPD is Sustainable Development. Both documents will be updated to that effect.	No change

No.	From	Section of SPD or SA	Summary of Representation	Council's Response	Council's Recommendation
164	North Finchley Local Agenda 21 Group	Para 8.5	In the last sentence, replace the words "which must ensure optimum urban land use" and replace with "and the Council's Three Strands Approach policy approved by the Cabinet on 22 November 2004.	The purpose of the SPD is to provide guidance to developers on the Council's approach to affordable housing. The wording meets that end.	No change
165	North Finchley Local Agenda 21 Group	Para 10.4	Delete first sentence. Replace with "For all affordable housing, a planning obligation must ensure that the Council is able to secure nomination rights in perpetuity for Barnet Council nominees and that that all the dwellings remain permanently, solely and exclusively available to meet affordable housing need".	The Council cannot state this as it has to recognise sub-regional nomination rights.	No change
166	North Finchley Local Agenda 21 Group	Para 12.1	The second sentence starting with the words "It encourage..." is not clear and should be rewritten in plain English.	Agreed	Change
167	North Finchley Local Agenda 21 Group	Appendix 3	The Total Cost Indicator Table should make it clear that the sums are index linked and how this will be calculated.	Agreed	Change
168	North Finchley Local Agenda 21 Group	SA Para 1.9	Please define the words "long term" in Lines 7 and 9.	The text is based on ODPM guidance.	No change
169	North Finchley Local Agenda 21 Group	SA Para 1.12	In Line 2, delete the word "better" and replace with the word "good".	A better quality of life is the accepted goal of sustainable development.	No change
170	North Finchley Local Agenda 21 Group	SA Para 1.13	In the second sentence, after the words "As planning contributions" insert the word "can".	Agreed	Change
171	North Finchley Local Agenda 21 Group	SA Para 3.3	Under "Creating High Quality New Homes" in the third and fourth sentences, replace the word "should" with the word "must". Delete the fourth sentence starting with the words "All affordable housing..." and replace with: "All housing developments in the Borough that include affordable housing must meet the higher of the environmental standards (such as eco homes and Housing Quality Indicator) required by the Housing Corporation, The London Mayor or other appropriate body at that point in time or that laid down in the Council's emerging "Three Strands Approach (Sustainable Development – Design Construction and Mixed	The Council refers to its answers to SPD Para 1.10.	No change

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			<p>Communities)" Supplementary Planning Document, whichever is the higher standard. In the event that the 'excellent' eco homes category becomes mandatory for publicly funded housing development then the 'excellent' eco homes category will be required for all new developments. If a "Code for Sustainable Homes" is introduced, then the standard level to be applied will be no lower than would have been required under the eco homes and HQI systems. Developments will also be required to meet the Mayor of London's recommended standards for renewable and carbon neutral schemes and include a minimum of 10% Lifetime Homes. All homes in the developments will be required to achieve secured by Design accreditation. These environmental standards will be applied to all the dwellings in all developments that include affordable houses, whether the affordable housing is publicly funded or not".</p> <p>Add a new sentence at the end of the existing paragraph that reads: "High density schemes of more than 80 dph or 250 hrh should reflect the research carried out by the London Housing Federation and published in their book 'Higher density housing for families: a design and specification guide' published in October 2004".</p>		
172	North Finchley Local Agenda 21 Group	SA Para 3.3	<p>Under "Creating Mixed and Sustainable Communities" in line 5 delete the last two sentences beginning with the words "Flatted..." and "To enable..."</p> <p>Replace with "Whilst the suburban aspiration is to live in a house with a garden, in locations where flatted developments may be appropriate, flatted development schemes are also required to accommodate a dwelling mix, where well-designed and affordable family housing with access to private amenity space is included. To enable mixed and sustainable communities, affordable housing should be located close to local facilities and public transport and include employment opportunities".</p>	The Council refers to its answers to SPD Para 1.10.	No change
173	North Finchley Local Agenda 21 Group	SA Para 3.3	<p>Under "Creating Cohesive Communities" add to the end of the first sentence "and that the whole development is built to the same quality standards thus leading to a truly mixed indistinguishable high quality housing development".</p>	The Council refers to its answers to SPD Para 1.10.	No change
174	North Finchley Local Agenda	SA Para 3.3	<p>Under "Creating Environmentally Sensitive Homes" delete the first sentence.</p>	The Council refers to its answers to SPD Para 1.10.	No change



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	21 Group		<p>Replace with "The Council will ensure that all housing developments meets at least the 'very good' category of eco homes standard with a target for 'excellent' category and also has 'high' HQI (Housing Quality Indicator) rating. In the event that the 'excellent' eco homes category becomes mandatory for publicly funded housing development then the 'excellent' eco homes category will be required for all new developments. If a "Code for Sustainable Homes" is introduced, then the standard level to be applied will be no lower than would have been required under the eco homes and HQI systems". Developments will also be required to meet the Mayor of London's recommended standards for renewable and carbon neutral schemes and include a minimum of 10% Lifetime Homes. All homes in the developments will be required to achieve secured by Design accreditation. These environmental standards will be applied to all the dwellings in all developments that include affordable houses, whether the affordable housing is publicly funded or not".</p> <p>Delete second sentence starting with the words "As a minimum..."</p> <p>Replace with "The Council will require all development in the Borough that includes affordable housing to meet the higher of the environmental standards (such as eco homes and Housing Quality Indicator) required by the Housing Corporation, The London Mayor or other appropriate body at that point in time or that laid down in the Council's emerging "Three Strands Approach (Sustainable Development – Design Construction and Mixed Communities)" Supplementary Planning Document".</p>		
175	North Finchley Local Agenda 21 Group	SA Table 6 Objective 4	At the end of the last sentence add the words "but not if the provision of new housing only creates further dormitory areas without being complemented by new local employment opportunities.	This is addressed by objective 11 – to encourage sustained economic growth	No change
176	North Finchley Local Agenda 21 Group	SA Table 6 Objective 5	At the end of the last sentence add the words "but only if the provision of new housing is complemented by new local employment opportunities.	This is addressed by objective 11 – to encourage sustained economic growth	No change
177	North Finchley Local Agenda 21 Group	SA Table 6 Objective 6	In the second sentence after the words "Integrated well designed affordable homes" insert the words" built to the same quality standards as the remainder of the development thus leading to a truly mixed indistinguishable high quality housing development that ....."	This issue is already addressed by the objective.	No change
178	North Finchley Local Agenda	SA Table 6	After the last sentence, add the words "because new housing development will exacerbate the existing infrastructure deficiencies and	This issue is already addressed by the objective.	No change

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	21 Group	Objective 7	additional affordable housing will, in particular, further stretch existing community and medical services".		
179	North Finchley Local Agenda 21 Group	SA Table 6 Objective 8	After the last sentence, add the words "because new housing development will exacerbate the existing public transport deficiencies and lead to more road congestion unless the provision of additional local employment opportunities and local medical and social facilities is seriously addressed".	This issue is already addressed by the objective.	No change
180	North Finchley Local Agenda 21 Group	SA Table 6 Objective 9	After the last sentence, add the words "provided that water run off is contained within each development site".	This issue is already addressed by the objective.	No change
181	North Finchley Local Agenda 21 Group	SA Table 6 Objective 10	After the last sentence, add the words "provided that out of scale and high rise development is not built up against the green belt, Metropolitan Open Land and Public Open Space boundaries".	The UDP provides the policy framework for the protection of open spaces. There is no need for an Affordable Housing SPD to duplicate this approach.	No change
182	North Finchley Local Agenda 21 Group	SA Table 6 Objective 12	In the first sentence after the word "work" add the word "play," Delete the third sentence because, at best, energy bills will be less high than otherwise in the present energy market. Add a new sentence at the end that reads: "However, where new housing only intensifies the Borough's role as provider of "dormitory provision" to other parts of London without being complemented by new local employment opportunities and social, medical and physical infrastructure provision, such market vibrancy will lose its shine and the development will prove less than sustainable".	Partially agreed This is more of an issue for the emerging Core Strategy rather than an Affordable Housing SPD.	Change
183	North Finchley Local Agenda 21 Group	SA Para 6.4	Under "Creating Environmentally Sensitive Homes", delete the first sentence and replace with: "The SPD requires that all housing developments meets at least the 'very good' category of eco homes standard with a target for 'excellent' category and also has 'high' HQI (Housing Quality Indicator) rating". In the event that the 'excellent' eco homes category becomes mandatory for publicly funded housing development then the 'excellent' eco homes category will be required for all new developments. If a "Code for Sustainable Homes" is introduced, then the standard level to be applied will be no lower than would have been required under the eco homes and HQI systems". Developments will also be required to meet the Mayor of London's recommended standards for renewable and carbon	The Council refers to its answers to SPD Para 1.10.	No change

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			neutral schemes and include a minimum of 10% Lifetime Homes. All homes in the developments will be required to achieve secured by Design accreditation. These environmental standards will be applied to all the dwellings in all developments that include affordable houses, whether the affordable housing is publicly funded or not. The Council will require all development in the Borough that includes affordable housing to meet the higher of the environmental standards (such as eco homes and Housing Quality Indicator) required by the Housing Corporation, The London Mayor or other appropriate body at that point in time or that laid down in the Council's emerging "Three Strands Approach (Sustainable Development – Design Construction and Mixed Communities)" Supplementary Planning Document".		
184	North Finchley Local Agenda 21 Group	SA Para 7.1, 8.1 & 10.1	There is no Table 8 included in the draft. Should this refer to Table 5?	It should be Table 6	Change
185	McCarthy & Stone (Developments) Ltd	Para 2.6	As the Council will be aware, the Mayor's Housing SPG updates the upper threshold to £49,000 and, since this upper threshold informs the rest of the SPD, it may be appropriate to mention it here for the sake of clarity.	Agreed.	Change as requested.
186	McCarthy & Stone (Developments) Ltd	Para 4.4	<p>The assessment takes no account of any savings that may be held by the household in question and which the household may wish to make use of to support a deposit and, second, that fixing the maximum multiple of income at 3.5 is not always appropriate. Our research into current lending calculations of major high street lenders has identified variations.</p> <p>Even higher multiples are available through such mechanisms as self-certification but these are not always sustainable products. In addition, the Council's proposed definition takes no account of any equity that households may be able to contribute. Research by the Council of Mortgage Lenders has found that the average first time buyer deposit in London now exceeds £50,000. Whilst the deposits available to households in housing need are, necessarily going to be significantly smaller, it is inappropriate for the Council to assume that no deposit will ever be available. If the Council were to take a more flexible view of what households can afford then the advantage to the purchasers would be that they would be able to acquire a significantly larger share of the equity in their home, thus maximising the size of the asset that they</p>	The SPD is in conformity with the Mayor's SPG and reflects the text set out in Para 15.7 of that document.	No change

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			<p>acquire whilst minimising the rent element of their housing costs. We therefore recommend that the council remove reference to a maximum of a 3.5 times income multiplier and a maximum initial sale price. Instead we recommend that the paragraph refers to "total housing costs including rent which are affordable to the household and that the initial purchase price should be affordable based upon the amount of equity they may be able to commit plus a mortgage based on appropriate multiples of income available in the open market."</p>		
187	McCarthy & Stone (Developments) Ltd	Para 4.4 (iv)	<p>We would like to highlight the importance of ensuring that such comparisons are made on a fair like for like basis. New affordable housing is required to conform to very high environmental and thermal performance standards and the cost of future maintenance is also likely to be significantly lower. Both of these factors will provide significant benefits to the occupiers in the long run.</p>	<p>The Council seeks to deliver high quality, environmentally sensitive homes. These objectives apply to all new homes in the Borough. Market housing will also be expected to conform to very high environmental and sustainable development standards. The Council will provide further guidance on delivering high quality environmentally sensitive homes in the forthcoming Sustainable Development SPD.</p>	No change
188	McCarthy & Stone (Developments) Ltd	Para 4.5	<p>This criterion is in addition to that set out in the London Housing SPD which requires that the total mix of units provided by any given Borough should average out at the mid point of the intermediate income spectrum (i.e. £32,700). The difficulty is that where the open market value of properties is high, and income levels towards the bottom third of the spectrum, the share of equity acquired is small and rent represents a very large share of housing costs. Therefore, in some new build developments where open market values are very high, it may not be appropriate to target as many as a third of units at incomes below £25,000.</p> <p>We recommend that this criterion is removed and that the Council reverts to the use of a criterion similar to that contained in the London SPG, that large developments should be required to provide a spectrum of intermediate units such that the average unit is targeted at household with an income of £32,700 (or updated version of this figure.)</p>	<p>This is in accordance with the Mayor's SPG. Para 15.9 of that document states that 'Local Planning Authorities should seek to ensure that intermediate provision provides for households with a range of incomes below the upper limit' i.e. £49,000</p>	No change

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189	McCarthy & Stone (Developments) Ltd	Para 4.7	<p>The Council should be aware that the retention of 100% of stair casing receipts will decrease the value that developers are paid for their units. The consequence of this is that (where viability is an issue), the developer will be unable to provide as many affordable units as would have been possible if stair casing receipts had not been retained. However, where the Housing Corporation has provided grant towards the provision of shared ownership units grant would have to be repaid before stair casing receipts were realised.</p> <p>We recommend the deletion of this principle from the SPD as it is too inflexible and it may not be appropriate in circumstances where viability is an issue.</p>	The Council recognises the sub-regional arrangements for reinvestments.	Change Amend last sentence as follows: 'in the borough where possible'
190	McCarthy & Stone (Developments) Ltd	Para 5.2	<p>It is unclear how the Council will determine whether or not this is the case, and what mechanism the Council might use to vary its published priorities. Do such priorities rest solely on identified need across the whole Borough or are there important location factors to be taken into account?</p> <p>It would appear that there is a need for both these housing types and the provision of sheltered housing for the elderly has the advantages of making highly efficient use of land and freeing up much needed family units in the Borough which were previously under-occupied by smaller, older households.</p> <p>We recommend that the Council makes clear whether it considers these specialist housing forms to be housing priorities across the Borough or whether this is only the case in specific locations. We would also suggest that the Council makes clear by what mechanism (for example the Housing Strategy) its housing priorities are met.</p>	The Council's housing priorities are set out in the Housing Strategy. This SPD has been drawn up in accordance with the update to the 2003-2010 Strategy.	No change
191	McCarthy & Stone (Developments) Ltd	Para 6.5	<p>We are concerned by references to open book viability appraisals made in Para 6.5. Whilst appraisals of this type may occasionally be necessary in large and complex schemes over a number of phases, in the vast majority of cases there is no justification for them. Furthermore, such appraisals, despite their name can cause as many difficulties as they solve. Many of the figures which affect the outcome of open book appraisals (such as precise build and financing costs as well as profit margins) are specific to individual developers. The consequence of basing the affordable housing offer on a particular set of data could therefore be construed as seeking to grant a planning permission to a specific developer (because a different developer's data would give a different result) rather than having the planning permission run with the</p>	The Council respects confidentiality in these matters.	No change

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			<p>land which is a fundamental principle of the planning system. In addition, there is the problem that almost all of the data upon which an open book appraisal would depend is commercially sensitive and must therefore be considered in confidence. Whilst planning departments are keen to give assurances that confidential data can be safeguarded, it is unclear how the Council would be able to maintain this confidentiality in the event of an appeal. The planning system is required to be transparent and we cannot see how the Council could discuss a planning decision based on commercially sensitive information and still maintain both transparency and confidentiality. It would be far better if appraisals were based on "typical" information based on industry norms, allowing them to be discussed in public. In situations where the scheme is very large or complex, it may be that the appraisal becomes, in effect an open book appraisal because the number of details discussed begins to include information that is commercially sensitive but this situation should be avoided wherever possible.</p> <p>We recommend that reference to open book appraisals are replaced with references to financial appraisals. Such financial appraisals can then be based upon typical build costs, financing costs and profit margins and so on rather than upon commercially sensitive information. Where these typical costs do not reflect the situation on the ground then particular elements of the appraisal may be adjusted but it can happen in a way which is transparent and subject to public scrutiny. This ensures that any planning permission granted is attached to the land rather than to a specific developer.</p>		
192	McCarthy & Stone (Developments) Ltd	Para 6.5	We welcome the Council's acknowledgement that all the planning gains sought from a particular site should be considered together because the ability of any site to contribute toward such gains is fixed by the economics of the development.	The Council welcomes this support	No change
193	McCarthy & Stone (Developments) Ltd	Housing Needs Survey	We welcome the publication of the new Housing Needs Survey and have reviewed our figures in the light of its findings. However, the LB Barnet's new HNS is an assessment of need not a housing market analysis and, while it provides evidence of the need for general needs housing across the Borough, it may not be such an accurate indicator of the need for specialist housing in particular areas.	The Council in its response to draft PPS 3 in February 2006 highlighted several concerns about Housing Market Assessments given the additional demands they create. The draft guidance failed to establish an appropriate level for community engagement. The Council also questions the capacity of house	No change

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				builders, RSLs and local strategic partnerships to participate in partnerships on HMOs. The Council awaits the publication by DCLG of final guidance on housing market assessments. This is expected to be published with PPS 3.	
194	McCarthy & Stone (Developments) Ltd	Para 10.3	<p>We are concerned that this could be construed as seeking to “prescribe which partners developers should use to deliver the affordable housing,” a practice which Circular 6/98, in effect, bans. When selecting a landlord, the developer and the Council should, of course, have regard to the criteria set out in the rest of the paragraph but the Council should not seek to prevent developers from working with any RSL or other housing manager who is capable of managing the units effectively. Nor should it seek to coerce developers by refusing to support bids for grant from RSLs not included in the preferred partner list.</p> <p>We recommend that the first two sentences of Paragraph 10.3 are replaced with “In order to support a bid for grant, the Council will need to be satisfied that the housing manager selected by the developer is capable of cost-effective management of the units in the long term. In assessing this question the Council will consider such factors as whether the provider has an existing development role in the borough as well as existing local infrastructure, a satisfactory local housing management service and nomination arrangements with the Council.”</p>	The Council considers that the SPD wording provides flexibility on the matter of joint working. If an Affordable Housing Provider has a good local track record in housing management it is not excluded.	No change
195	McCarthy & Stone (Developments) Ltd	Para 10.6	<p>This is indeed compliant with Circular F2-42/98; however, since the publication of the circular, many things have changed, including the existence of a “normal” level of grant. We would therefore question whether this is a helpful way of expressing this principle.</p> <p>We recommend that the paragraph is replaced with the following text.  “Where affordable housing is secured through a Section 106 agreement, it is presumed that the developer will be able to make a significant contribution towards the funding of the affordable housing. The Council will therefore expect that the level of grant required by such sites would be lower than if the development of the affordable housing had been lead by an RSL.”</p>	The Council considers that the SPD wording is appropriate as it is consistent with Circular F2-42/98	No change
196	McCarthy & Stone	Para 10.8	Given the uncertainties associated with the availability of grant, especially on Section 106 sites, to include variation in the economics of	The Council agrees that TCI is familiar to developers and simple to	Change Amend Para 10.8

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	(Developments) Ltd		<p>development, we understand the Council's intention to give developers clear indications of the amount they can expect to receive for the provision of affordable housing. We are surprised that the Council has chosen to use TCI as the basis of such a model because the data that underlies the figures became officially obsolete in April 2006 whereas the intention of the SPD must be to provide durable guidance to developers.</p> <p>TCI does have the significant advantage of being relatively familiar to developers and simple to use but it will become increasingly out of date with time and could therefore be an inappropriate basis for the negotiation for large developments with multiple phases in particular. Whilst we recognise that the single maximum price which can be calculated from paragraph 10.8 and Appendix 3 is a useful benchmark, it may not be appropriate in all cases. In particular, those developments which are built on very heavily encumbered or contaminated land and developments where other elements of the planning gain package must be given priority will struggle to achieve significant levels of affordable housing if significantly higher prices cannot be achieved for the affordable housing.</p> <p>We recommend that the Council undertakes to update the figures contained in Appendix 3 on an annual basis and that the council are prepared to negotiate with developers from this starting point.</p>	<p>use and therefore proposes to continue their usage. The figures in Appendix 3 are Barnet Total Cost Indicators (BTCI) which is appropriate for local circumstances. BTCI enables the Council to be transparent about how much a developer/landowner can expect to receive for any affordable housing to aid any financial appraisals a developer may require when acquiring land for development. These indicators are set at a level where the Council is likely to attract Housing Corporation funding and enables us to demonstrate that there is additional affordable housing gained through S106 agreement as opposed to other traditional ways of procuring affordable housing as stated in Circular 6/98. The BTCIs will increase annually from 1 April 2007 with the Retail Price Index (RPI).</p>	<p>as follows – In last sentence add 'Barnet' before Total Cost Indicator Amend appendix 3 to state The BTCIs will increase annually from 1 April 2007 with the Retail Price Index (RPI).</p>
197	Sustrans	SAI Para 3.3	<p>The sustainability appraisal objectives need to be more explicit about the need to ensure that housing developments are attractive, safe places to walk and cycle. Sustainable transport infrastructure is essential and needs to be considered at the earliest stage to be effective. Clearly this kind of transport is particularly relevant to affordable housing locations. 'home zone' areas are increasingly popular – these guidelines must ensure such development is planned in the first instance.</p>	Agreed	<p>Change amend last sentence of Para 3.3 - To enable mixed and sustainable communities, affordable housing should be in locations that provide safe places to walk and cycle and are close to local facilities and</p>



No.	From	Section of SPD or SA	Summary of Representation	Council's Response	Council's Recommendation
					public transport.
198	UNITE	Section 5.0	The propose policy objective contradicts the London Plan (pares 3.28 and 3.42) and the Mayor's Housing SPG (Para 16.1). Student housing schemes are developed in partnership with local universities on the basis of providing purpose built, well managed, self contained halls of residence. Proposed policy objective does not allow student housing to be exempt from providing affordable housing thus making its provision unviable and prejudicing design, management, maintenance and security. There is an identified need for student housing in Barnet and we consider it inappropriate to introduce uncertainty into the planning process. The SPD should be recast in accordance with the London Plan in order to allow purpose built student accommodation to meet need and not to be used as a tool to increase, or counted against targets for, the social/intermediate housing stock.	The Council does recognise the contribution of student accommodation to housing and educational provision in Barnet. The Mayor's SPG at Para 16.1 considers that sstudent housing is not equivalent to social housing, as it is not permanent housing and is only provided on the basis that an individual is a member of a specific educational institution.	No change