



**Geraint John Planning**

Geraint John  
E: [geraint@gjplanning.co.uk](mailto:geraint@gjplanning.co.uk)  
T : 02920 105360  
M : 07531 324325

Office 16, House 1, 2<sup>nd</sup> floor  
The Maltings  
East Tyndall Street  
Cardiff, CF24 5EA  
[www.geraintjohnplanning.co.uk](http://www.geraintjohnplanning.co.uk)

**Representor ID: 38, 162 & 394**

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**By Email: [ldp@bridgend.gov.uk](mailto:ldp@bridgend.gov.uk) ; [LDPProgrammeOfficer@bridgend.gov.uk](mailto:LDPProgrammeOfficer@bridgend.gov.uk)**

C/O Amanda Borge  
LDP Programme Officer  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend  
CF31 4WB

Dear Sir / Madam,

**BRIDGEND REPLACEMENT LOCAL DEVELOPMENT PLAN EXAMINATION**

**RESPONSES TO MATTERS AND ISSUES - MATTER 3: ACTIVE, HEALTHY, COHESIVE, INCLUSIVE AND SOCIAL COMMUNITIES – AFFORDABLE HOUSING AND GYPSY, TRAVELLERS, AND SHOW PEOPLE**

Please find enclosed, on behalf of, and under instruction from the following Housing Associations : Coastal Housing Group, Pobl and Valleys 2 Coast, submission to the Examination of the Local Development Plan (LDP) in relation to 'Matter 3'.

This submission comments on matters and issues raised by, and set out in, the Inspectors' Matters and Issues Agenda to cover Matter 3: Active, Healthy, Cohesive, Inclusive and Social Communities – Affordable Housing and Gypsy, Travellers, and Show People

Separate representations were made on behalf of the Representors previously at Deposit Plan stage, however, a collective submission is made for the Examination process of the RLDP.

We look forward to attending the Hearing Session in respect of Matter 3 in due course. In the meantime, we hope and trust that all is in order with this submission. Please do not hesitate to contact us in the event that further information is reissued or considered beneficial.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Geraint John', with a stylized flourish extending from the bottom of the 'n'.

**Geraint John**

Director

Geraint John Planning Ltd.

## **Preface**

This submission relates to the matters and issues raised by, and set out in, the Inspectors' Matters and Issues Agenda to cover Matter 3: Active, Healthy, Cohesive, Inclusive and Social Communities – Affordable Housing and Gypsy, Travellers, and Show People.

Each of the relevant issues raised in relation to the above matters are considered in detail below.

It should be noted that these submissions do not respond to every question raised within the Inspector's Agenda, as not all of these questions necessitate a response by the representors. Accordingly, these representations only provide responses to questions where it is considered necessary and relevant to do so.

The purpose of this submission, and also previous representations made on behalf of the representors, is that the aforementioned Housing Associations object to the policy stipulations of COM5 'Affordable Housing Exception Sites'. Whilst the representors do not object to the principle of the Policy (in fact it is supported), they contend the Policy's stipulations set out, specifically relating to the capping of Exception Sites to no more than 10 units. As such, this forms the basis of these representations, and further detail is discussed below.

## **Questions**

*Issue - Are the requirements for affordable housing and Gypsy and Travellers accommodation supported by robust and credible evidence and consistent with national policy? And will they be met during the Plan period?*

### ***1. Is the Local Housing Market Assessment (LHMA) based on robust and credible evidence? And are the findings sufficiently to inform the Plan's affordable housing strategy?***

It is considered that the evidence to inform the LHMA is robust, in that the methodological approach undertaken was set out by the Welsh Government in "Getting Started with your Local Housing Market Assessment – A Step by Step Guide" (2014) and the "Local Housing Market Assessment Guide" (2006). Although it is acknowledged that new LHMA guidance was published on 31st March 2022, (and replaced the previous methodology detailed in the 2006 and 2014 guidance), it was confirmed by Welsh Government on 24th March 2022 that LDP's would not need to use this where they had already reached Deposit Stage - which was the case for Bridgend.

In terms of the findings of the LHMA, and how this informs the Plan's affordable housing strategy, the total figure of 5,134 affordable housing units quantified and assessed in meeting the identified need in the County is underpinned on extensive reliable evidence. Local housing markets have been explored through the evaluation of property market data as well as other secondary data sources e.g. population statistics. Therefore, the conclusions of the LHMA reliably inform the affordable housing strategy for the Plan period, in meeting an identified need.

### ***c) Will the affordable housing target of 1,977 dwellings meet the local housing need, if not what other mechanisms are available?***

As forementioned, the LHMA (2021) identified a total need of 5,134 affordable housing units within the period 2018-2033. However, it is noted that the latest / final affordable housing target set out in the 'Replacement Local Development Plan – Written Statement' amounts to 1,595 dwellings (previously 1,977 dwellings) within the Plan period, therefore, representing an even larger discrepancy between the two figures than proposed at Deposit stage.

Paragraph 5.2 of 'Background Paper 5: Affordable Housing' sets out the following in relation to the LHMA and affordable housing target:

*"There also needs to be a clear recognition that the Replacement LDP is not the only source of affordable housing supply and it would be a gross oversimplification to set a target that directly mirrors the 5,134 affordable housing units identified as being needed over the plan period. The LHMA itself clarifies that this headline need figure should not be considered a delivery target or even the solution to the affordability issues within the County Borough. It instead indicates the level of housing need within the County Borough, which the Council will seek to address through a range of market interventions as far as practically deliverable."*

Whilst it's acknowledged that 5,134 units is not a delivery target per se, but rather a headline need figure, every effort through the Plan period should ensure that the delivery of affordable homes extends beyond the overall strategy quantum (1,595 dwellings) – in order to strive for this need. It is considered that other mechanisms can contribute to striving for the identified need for affordable housing (5,134 units) in the Plan period. For example, Affordable Housing Exception Sites (Policy COM 5) has the potential to deliver higher numbers of units through the Plan period and should not be limited in terms of specific numbers, and therefore, represents a suitable mechanism for assisting in the delivery of affordable homes. However, the policy should be made more flexible in terms of removing the capping (further details included below).

Overall, it is considered that the gap between the target and identified need in LHMA has the potential to result in a 'shortfall' in delivering affordable housing – which would exacerbate the current unmet need and extant backlog within the County. Accordingly, other mechanisms to secure the delivery of affordable housing is considered of paramount importance, to ensure that the approach is flexible to facilitating the development of affordable homes. As a result, Policy COM5 is supported, but should be amended to include for flexibility to enable site of over 10 units to come forward. This would necessitate a change to criterion 2) of the policy itself, and amplification para. 5.3.34.

### **3. How have the affordable housing targets and thresholds in Policy COM3 been defined?**

#### **a) Is the affordable housing target of 1,977 dwellings realistic and based on robust evidence?**

As previously set out, the latest housing target equates to 1,595 dwellings, and a breakdown of this is set out in the table below:

**Table 8: Affordable Housing Supply Components 2018-33**

Components	Number of Affordable Housing Units
Total Completions (large and small)	367
Units under construction	65
Units with planning permission (large sites)	172
New Housing Allocations	951
Large windfall sites (10+ units)	40
Small windfall sites (<10 units)	0
<b>Total LDP Affordable Supply</b>	<b>1,595</b>

*Affordable Housing Supply*

It is noted that the affordable housing target only relates to the sources of supply, which the Plan describes as those sites which "are funded and delivered through the planning system". It is identified that the remaining need for affordable housing identified in the LHMA will be delivered through a range of other mechanisms. Whilst this is acknowledged, it is considered that Exception Sites under Policy COM5 can play a significant role in delivering affordable housing and meeting the overall identified need in the LHMA.

As evidenced through previous representations, Neath Port Talbot Council had a similar policy which sought to reduce the number of units permitted on Exception Sites, which in turn, resulted in no such

sites coming forward within the Plan period. It is considered that the flexibility of the quantum of units is key to the delivery of such sites.

Moreover, in the amplification text of the Policy COM2 'Affordable Housing', para 5.3.20 outlines that *"the housing need identified within the LHMA does not directly translate into an outright affordable housing delivery target for the LDP or even represent the solution to the affordability issues within the locality. It instead indicates the scale of housing need within Bridgend County Borough, which the Council will seek to address **as far as practically possible.**" (GJP Emphasis).*

This key phrase 'as far as practically possible' clearly indicates that all necessary steps should be taken and policy priorities put in place to ensure that affordable homes are delivered within the Plan period - to meet the scale of housing need. Accordingly, the current capping on Policy COM5 is considered to be restrictive, and unpragmatic in delivering affordable housing.

Overall, it is considered that provision for windfall sites (both small and large) has the potential to deliver affordable homes beyond the target figure, and as such, Exception Sites can play a significant role in the delivery of units. Consequently, the current capping of Policy COM5 is not considered to be appropriate in the context of unmet need within the County, and the overall LHMA figure, and as such, further consideration should be given to removing the 10-unit cap.

#### **6. Are the requirements of Policy COM5 appropriate and consistent with the requirements of national planning policy?**

The Representors support the principle of Policy COM5, and agree that it is consistent with national planning policy. However, the Representors do not agree with the proposed capping on Exception Sites to 10 units. National planning policy (both Planning Policy Wales and Future Wales) considerably support the delivery of affordable housing in Wales, and that the planning system should accommodate such development where possible. There is no reference at national level which seeks to restrict the quantum of affordable homes delivered, and as such, the proposed capping would conflict with the goals and aspirations of national policy.

PPW11 sets out that *'the affordable housing provided on exception sites should meet the needs of local people in perpetuity.'* Accordingly, a capping of 10 units would restrict the important role that affordable housing can play in addressing local identified needs.

Additionally, Policy 7 'Delivering Affordable Homes' of Future Wales: The National Plan 2040 outlines that *"... planning authorities should identify sites for affordable housing led developments and **explore all opportunities to increase the supply of affordable housing"** (GJP Emphasis).* Accordingly, removing the capping on the Exception Sites would accord with this policy, in ensuring that all opportunities are pursued to increase the supply of affordable housing.

As set out within previous representations, there are numerous examples of larger Exception Sites in neighbouring LPAs (namely Swansea, Neath Port Talbot and Vale of Glamorgan) where such developments have significantly contributed to the overall affordable housing need. Developments which the Representors have been involved in include, amongst other schemes :

- [2017/2709/FUL](#) – Land Off George Manning Way, Gowerton, Swansea : 'Erection of 41 dwelling units (100% Affordable Housing) - comprising 31 houses, 2 pairs of semi-detached bungalows, and 8 apartments with landscaping, access, parking, and associated works';
- [2020/2357/FUL](#) – Pencefnarda Road, Gorseinon, Swansea, SA4 4FY : 'Construction of 44no. dwellings (100% affordable housing) with landscaping, access and associated works'.

These developments, at 41 and 44 units respectively, are much larger than the 'cap' in Policy COM5, and yet have been successful and acceptably delivered much needed affordable housing. Neither have, nor will, give rise to the perceived imbalance of mixed tenure communities nor are or will be inappropriate unsustainable clusters of affordable housing.

Previous PPW editions previously set out the important role of 'small' affordable housing exception sites in delivering affordable homes. However, in the recent iteration of PPW11, the policy stipulations remain the same with the exception of the removal of the term 'small'. As such, there is greater emphasis that LPA's should take in setting out the policy provisions for Exception Sites in Wales, in that it is acknowledged that larger sites can play a significant role in delivering affordable housing homes and meeting targets. The flexibility associated with this allows for a more robust approach in delivering affordable homes that responds to and addresses any market challenges it faces, through enabling various mechanisms of delivery.

Paragraph 5.3.33 of the Plan outlines that "*sites larger than 10 units can become increasingly uncondusive to the delivery and maintenance of balanced, mixed tenure communities and will therefore not be in accordance with COM5.*" This notion that sites larger than 10 units would undermine the 'delivery and maintenance of balanced, mixed tenure communities' is not supported at national policy level, in that there are no stipulations that align with this conclusion. In addition, there is no evidence that presents findings that culminate in this assumption which seeks to be the explanation to cap Exception Sites to 10 units. Clearly, of more importance is the delivery of affordable housing within the Plan period, in order to meet the identified need, whilst also ensuring that a development is acceptable in all other respects.

One case study that is of key pertinence is that of ref. /L6940/V/20/326151 – Land to the North of Brynna Road, Road – which was an Affordable Housing Exception Site that was called in for decision by the Minister for Housing and Local Government, one of the Welsh Ministers, under section 77 of the Town and Country Planning Act 1990, on 01 October 2020. The application comprised the development of 25 affordable residential dwellings. Whilst the application was refused by Welsh Ministers (owing to environmental issues), it was considered that "*...the proposals are wholly compatible with PPW and TAN 2 which advise that development should seek to establish an appropriate and well-integrated mix of housing types at a **scale compatible with that of the settlement.***" This case study evidences that at national level, it is considered that schemes of larger quantum can deliver sites that are proportionate to the adjoining settlement, which are appropriately located to nearby services and facilities.

In summary, it is contended that Policy COM5 is consistent with national policy, in that the key driver at national level is to deliver high provision of affordable housing, and maximise supply wherever possible through different mechanisms. It is acknowledged that large Exception Sites can play a significant role in the delivery of affordable housing, and meet the identified needs within the Plan period.

***a) Is restricting the number of affordable dwellings that can be constructed on exception sites to 10 realistic or appropriate?***

As previously set out, the capping of Policy COM5 in delivering Exception Sites is considered to be restrictive, and contrary to national planning policy. There is a large unmet need for affordable housing within the Plan period, and the target for delivery is considerably lower than the need identified in the LHMA (2021). Accordingly, a greater flexibility should be permitted to ensure that sites under Policy COM5 come forward and are delivered within the Plan period.

In terms of the Policy itself, the representors do not object to the principle of the Policy, but rather supports its implementation. In its current form, the wording of Policy COM5 is considered to be robust in setting out six specific criteria of which such proposed developments must satisfy, in order to deliver sustainable schemes that are appropriately sited, of tenure and design commensurate with need identified, and in character with its surroundings. The requirements of the policy will ensure that sustainable / placemaking-led schemes are delivered in appropriate locations in the County. Moreover, the Council have confirmed their intention to adopt an Affordable Housing Supplementary Planning Guidance (SPG) which will provide further clarity on providing affordable housing on exception sites. It is considered that the Policy and any SPG would provide a robust mechanism to delivering a suitable level and form of affordable housing on acceptable exception sites.

It is considered that the current capping could possibly undermine the feasibility of Exception Sites coming forwards, given that the viability of schemes at this scale can be challenging. The result of a capping of 10 units could prevent Exception Sites being delivered within the Plan period, and consequently could fail to be a positive mechanism to help meet the LHMA identified unmet affordable housing need. In addition, the capping reduces the potential opportunities for Exception Sites in the County, given that only smaller parcels of land will be suitable for this form of development, whilst ensuring it is acceptable in all other respects. The Policy doesn't necessarily direct new growth to the most sustainable locations, but rather constricts what can be delivered in the County – contrary to the Spatial Strategy of the Plan, as set out in Policy SP1.

As such, the implementation of the Policy in its current form of capping the number of units, results in the possibility of sustainable, deliverable and ready sites not developed for the purposes of being too large to conform with the requirements of Policy COM5. In summary, for the reasons discussed throughout this statement, the Representors would respectfully request that Policy COM5 'Affordable Housing Exception Sites' is amended to read as follows:

*"Proposals to develop affordable housing on sites outside settlement boundaries will only be permitted where:*

- 1) The proposal meets an identified local need that cannot be satisfied on alternative sites within the locality's identified settlement boundary;*
- 2) The proposal represents a logical extension to the existing settlement, ~~does not exceed ten affordable dwellings~~ and is of a scale appropriate to and in keeping with the character of the settlement;*
- 3) The site is in a sustainable location, adjacent to an existing settlement boundary with reasonable access to at least a basic range of local community services and facilities;*
- 4) The proposed dwelling(s) are of a size, tenure and design which is commensurate with the affordable housing need identified for the locality;*
- 5) There are secure mechanisms in place to ensure the dwellings are accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers; and*
- 6) There is no loss of land of important recreational, amenity or natural heritage value."*

It is considered that larger sites (i.e. more than 10 units) can meet the policy requirements of Policy COM5, in that the criteria set out can be complied with – given that it requires housing development to be sustainable, and meet other policies of the LDP. It is considered the criteria set out and wording of the policy is robust enough to ensure that there are no negative impacts on exception sites – e.g. criteria 2 which states "**logical extension to the existing settlement... and is of a scale appropriate to and in keeping with the character of the settlement**" (**GJP Emphasis**). As such, the capping of 10 units would therefore be unnecessary as the policy suitably limits development through other mechanisms.

Moreover, sites of a larger scale (i.e. over 10 units) could assist in contributing to the overall identified demand / need set out with the LHMA, over and above the current provision set out in Policy COM2. It is considered that Exception Sites under Policy COM5 could play an important role in the delivery of a further level of affordable housing, and would be led by Registered Social Landlords. Therefore, Exception Sites (over 10 units) will have a valued contribution to meeting the pertinent targets / need, and could result in the delivery of higher affordable housing rates per annum – if acceptable.

As previously alluded to, the target supply makes provision for 40 large windfall units, and 0 small windfall units in the Plan period. The Representors consider that Exception Sites of larger scale (i.e. more than 10 units) could significantly surpass this number cumulatively, culminating in a higher number of affordable homes delivered within the Plan period. As such, the removing of the capping has the ability to increase delivery beyond the 1,595 dwelling target – to the benefit of the overall LHMA need.