

**Pembrokeshire Coast National Park  
Replacement Local Development Plan (2015-2031)  
Public Examination**

**Support Document  
Appendix 07**

**before Inspector:** Mrs Nicola Gulley MA MRTPI

**Representations by and on behalf of the**

**NEWPORT AREA ENVIRONMENT GROUP (NAEG)**

**Secretary :** Mrs. Sandra Bayes

**Agent/Representative** Mr. Robert L. MANSON

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**NEWPORT AREA ENVIRONMENT GROUP (NAEG)**

**Support Document Appendix 07**

**Swansea LDP as Adopted (Feb 2019)**

**Extracts of Housing Policy H5 and**

**Appendices 6, 6A & 6B**

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**for oral presentation**

**on 2<sup>nd</sup> July 2019**

## **H 5: LOCAL NEEDS HOUSING EXCEPTION SITES**

Sites are allocated at the following locations for local needs housing to meet an identified social and/or economic need:

H 5. 1	Land at Monksland Road, Scurlage
H 5. 2	Land to the east of Gowerton Road, Three Crosses
H 5. 3	Land adjoining Tirmynydd Road, hree Crosses
H 5. 4	Land adjoining Pennard Drive, Pennard
H 5. 5	Land at Summerland Lane, Newton
H 5. 6	Land at Higher Lane, Langland

Development proposals for the six allocated Exception Sites must provide:

- A minimum of 51% (the majority proportion) Affordable Housing for Local Needs; and
- A maximum of 49% (the minority proportion) enabling Local Needs Market Housing that meets an identified housing need within the Locality by providing an appropriate range of dwelling sizes, types and design specifications having regard to evidence of financial viability.

The occupancy of the Local Needs Market Housing will be restricted to “persons with a local connection” **to be used as “their only or principal home”** and will be formally tied to planning consent by means of legal agreements and/or conditions.

Proposals that do not provide an appropriate number and range of dwellings to meet the identified social and/or economic needs of “persons with a local connection” within the Locality will not be permitted.

### Supporting Text

2.5.33 National Planning Policy and Guidance allows for the identification of local needs housing exception sites, which are distinct from standard market housing allocations, to bring forward both affordable and market housing for local needs. In this context, this policy allocates six sites to deliver both *Local Needs Market Housing* and Affordable Housing for Local Needs, specifically in order to meet the identified need in the Gower,

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Gower Fringe and West SHPZs.

2.5.54 The evidence of need for affordable housing in these locations is clear and a reliance entirely on 100% affordable housing exception schemes is not a sufficient approach to meaningfully address this need. Furthermore, the sites identified in the policy are, for the most part, large in relation to the rural settlements/settings in which they are located. In such instances, it would not be in accordance with the objective of creating cohesive, sustainable communities to allocate the entire site for affordable housing. **The policy therefore provides a pragmatic and balanced approach, which addresses the identified local needs for new homes, and ensures that the opportunities to deliver affordable housing are maximised through sustainable forms of development in accordance with the affordable housing strategy set out in Policy H 2 Affordable Housing Strategy.**

2.5.55 The policy requires that the majority of the site (i.e. at least 51% of the units) must provide affordable housing, as defined within National Planning Policy and Guidance and must be occupied by people who meet the Council's local need criteria, as set out at Appendix 6.

2.5.56 The remainder of the site however may provide Local Needs Market Housing to meet identified local social and economic need. This element of the policy seeks to address identified issues and deficiencies in the local housing market that affect the ability of specific local groups to meet their accommodation needs within the local area. These groups are defined as "persons with a local connection" and include first time buyers, local persons creating new households, older people, carers and those requiring care. Appendix 6A provides full details of the definition of "persons with a local connection".

2.5.57 For the purposes of this policy, the local area is referred to as "the Locality". The area included within the Locality is informed by the evidence of social and economic need arising in a specific set of electoral wards, which includes the Council's administrative wards of: Bishopston, Fairwood, Gower, Mayals, Newton, Oystermouth, Pennard, Penclawdd and West Cross. The geographical area of the Locality is illustrated in Appendix 6A, which also sets out the eligibility criteria for assessing whether a prospective occupier would satisfy the test of local need. All wards within the Locality fall within the Gower, Gower Fringe and West SHPZs. Within these wards evidence shows that the local housing market experiences a range of particular pressures that limit the options available for local households to access private housing and can lead to households moving outside of the Locality. These pressures include:

- High levels of second home ownership;
- A dominance of larger properties in the existing housing stock;
- A lack of smaller one or two bedroom properties;

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- High levels of migrant households from outside of the County that increases levels of competition and increase the range of housing options within the Locality, thereby increasing the number of households who are able to stay within the Locality to meet their housing needs. This can be achieved by providing: for existing stock. The pressures are further compounded by the evidence of the demographic profile of these wards within the Locality, which shows that there are significant levels of older persons in larger properties, and lower levels of younger people and young families in these areas. provided on the allocated sites is therefore required to provide an appropriate range of dwelling sizes, types and design specifications to meet the social and economic needs identified within the Locality. This requirement will ensure that the allocated sites contribute to the diversification of existing housing stock

The pressures are further compounded by the evidence of the demographic profile of these wards within the Locality, which shows that there are significant levels of older persons in larger properties, and lower levels of younger people and young families in these areas.

2.5.58 All Local Needs Market Housing provided on the allocated sites is therefore required to provide an appropriate range of dwelling sizes, types and design specifications to meet the social and economic needs identified within the Locality. This requirement will ensure that the allocated sites contribute to the diversification of existing housing stock and increase the range of housing options within the Locality, thereby increasing the number of households who are able to stay within the Locality to meet their housing needs. This can be achieved by providing:

- **A Range of House Types:** Provision of a range of house types, including for example flats and bungalows, will contribute to diversification of local stock and provide opportunities for certain population cohorts such as older persons, those requiring care and newly forming households to access appropriate housing within the Locality.
- **A Range of Design Specifications:** Provision of stock that meets design standards such as Lifetime Homes Standards, the provision of lifts within flats, level access to dwellings, and other measures, which would serve to increase opportunities for older households or those requiring care, to continue to live independently within the local area.
- **A Range of Sizes:** Addressing the lack of smaller properties in wards within the Locality will increase opportunities for newly forming households, thus reducing the number of young people and young families moving out of the area to find housing or remaining in concealed households not able to form independent households. Ensuring the diversification of sizes of stock in the local housing market will also aid older people to move out of existing family housing into more suitable properties and thus facilitate churn in the local housing market.

2.5.59 In order to ensure that Local Needs Market Housing provided on the allocated sites meet the objectives of the policy, the occupation of dwellings will be controlled through the use of local occupancy restrictions. Such restrictions will require that initial and subsequent occupants of the properties fall within the definition of “persons with a local connection”. An exception to this requirement may be permitted if a property has been marketed, for at least 16 weeks at market value price and at the end of the 16 week period no appropriate offers of purchase have been made from a person who meets the local needs criteria. Appendix 6B provides further details of how

the marketing period will be implemented. Restrictions will also be imposed to ensure that the dwellings provided are only occupied as “only or principal homes”. Appendix 6B provides further details of the definitions and mechanisms necessary to enforce the implementation of the policy.

2.5.60 In accordance with Policy IO 1 Supporting Infrastructure, legal agreements and/or planning conditions will be used to ensure that the agreed percentage of Affordable Housing for Local Needs and Local Needs Market Housing is delivered, that an appropriate range of type, sizes and design specifications of dwellings is provided to meet the objectives of the policy, and that local needs housing occupancy restrictions are applied.

2.5.61 Provision of an appropriate range of both Affordable Housing for Local Needs and Local Needs Market dwelling sizes, tenure types and design specifications on the sites allocated in Policy H 5 Local Needs Housing Exception Sites is key to achieving the objectives of the policy. The mix of dwellings must be negotiated with both the Council’s Planning and Housing Departments, having regard to meeting the social and economic needs within the Locality identified in the most up to date needs evidence at the time of the application.

2.5.62 The policy acknowledges that some degree of flexibility will be required with regard to ensuring the financial viability of a proposal is not fundamentally undermined, for example through a particular requirement for house types, design or sizes. The Council will take a fair and pragmatic approach to the consideration of financial viability implications during discussions and negotiations with developers on the range of homes to be provided, and in some instances this may necessitate some house types/sizes being included within a scheme

that do not specifically address a need or housing shortage in the Locality but are required to make the scheme viable. In such instances full disclosure of the viability evidence relating to the site will be required, and if an agreement cannot be reached, an independent assessment will be commissioned by the Council to reach a resolution, which must be paid for by the developer. However the policy is clear that permission will not be granted if the specified minimum proportion of Affordable Housing for Local Needs is not provided, or if the proposed Local Needs Market Housing do not overall provide an appropriate range of dwellings to meet the identified social and/or economic need in the Locality.

2.5.63 Appendix 3 of the Plan provides further details of site specific development requirements relating to each of the allocated sites, including measures necessary to address landscaping impact and where relevant impact on the Gower AONB.

**Appendix 6. ELIGIBILITY CRITERIA FOR LOCAL NEEDS AFFORDABLE HOUSING**

For affordable housing in the Gower and Gower Fringe SHPZ and on 100% affordable housing exception sites, all of the council's eligibility criteria for Affordable Housing must be met along with the additional 'local need' criteria. In the context of rural local needs housing, use of the word 'local' in describing a resident means:

- Applicants who are resident within the area who have been resident for a continuous period of at least 5 years immediately before making an application;
- Applicants who have been resident within the area for any period of (or periods totalling) greater than 5 but less than 10 years within the previous 10 years immediately before making an application,
- Applicants who were previously resident in the area and who have an immediate family member(s) currently resident in the area and where the immediate family member(s) have been resident within the area for a continuous period of at least 10 years immediately before the housing application was made and intend to remain. 'Immediate family' means a parent or parents, a child or children, or a sibling or siblings;
- Applicants who need to move to the area to enable them to either give or receive support to or from an immediate family member. 'Immediate family' means a parent or parents, a child or children, or a sibling or siblings or other relationships where a genuine need to give or receive support is demonstrated to the satisfaction of the City and County of Swansea;
- Applicants who currently live in the area needing separate accommodation, for example married couple and people living in tied accommodation on retirement;
- Applicants who work either full time or part time within the area. Part time employment in this case is defined as being a minimum of 10 hours each week; or
- Applicants who need to move into the area to take up full or part time employment

In the event that none of the above can be met by the applicants, the Authority may consider individuals from surrounding areas and communities that border the area. This will be defined on a site by site basis if necessary.

## Swansea Local Development Plan – Appendices

### 6A. ELIGIBILITY CRITERIA AND RESTRICTIONS FOR LOCAL NEEDS HOUSING

Legal agreements and/or planning conditions will be used in connection with proposals for sites listed in Policy H5 'Local Needs Housing Exception Sites', in order to ensure that:

- the agreed percentage of affordable housing for local needs and local needs market housing is delivered,
- the type and mix of dwellings provided meets the objectives of the Policy, and
- the occupancy of the dwellings is appropriately restricted.

Such agreements/conditions will seek to enforce that :

**1.** The dwelling-houses identified as "local needs housing" shall not be occupied otherwise than by a **person with a local connection**, or the widow or widower of such a person and any dependents of such a person living with him or her, unless the property has been marketed for sale for a period of at least 16 weeks at market value price and at the end of the 16 week period a person with a local connection has not been identified as a purchaser. This will be required to be enforced for every successor in title (repeat sale) to each individual dwelling.

If after a period of 16 weeks of marketing of a local needs dwelling at an estate agents in the Locality and advertising on a well-used property agency website, there are no appropriate offers of purchase from a person with a local connection, the property may be marketed to, and subsequently purchased by, a person that does not meet the local need criteria. Any subsequent re-sale of the local needs dwelling will be subject to the local needs occupancy restriction in order to ensure that the property will continue to provide a potential opportunity to address any future local need in the Locality.

**2.** The obligations shall not be binding or enforceable against any mortgagee or chargee or any receiver appointed by such a mortgagee or chargee or any person deriving title through such a mortgagee, chargee or receiver provided always that a successor in title of such a person will be bound by the obligations.

**3.** The dwelling-houses identified as "local needs housing" shall only be occupied by a person as his or her **Only or Principal Home**. The Occupant will be required to supply to the Local Planning Authority (within 14 days of the Local Planning Authority's written request so to do) such information as the Authority may reasonably require in order to determine whether this is being observed.

## Swansea Local Development Plan – Appendices 6B

### Definitions:

**'Person with a Local Connection'** means an individual who before taking up occupation of the dwelling satisfies one of the following conditions:

Either:

- (a) The person has been in continuous employment in **the Locality** defined for at least the last 9 months and for a minimum of 16 hours per week immediately prior to occupation; or
- (b) The person needs to live in **the Locality** defined because they need substantial care from a relative who lives in the Locality defined, or because they need to provide substantial care to a relative who lives in the Locality defined. Substantial care means that identified as required by a medical doctor or relevant statutory support agency; or
- (c) The person has been continuously resident in **the Locality** defined for three years immediately prior to the occupation of the dwelling and is **in need of another dwelling resulting from changes to their household**

**'The Locality'** is defined as the Council's administrative wards of, Bishopston, Fairwood, Gower, Mayals, Newton, Oystermouth, Pennard, Penclawdd and West Cross as shown on the Map entitled Boundary of Local Needs Housing Locality.

Circumstances where a person is **'in need of another dwelling resulting from changes to their household'** include (but is not limited to), getting married, divorced, having children, requiring more space for a growing family, downsizing to a more manageable home or adult children forming new households and purchasing a property for the first time, or where a person is returning to the Locality defined within 12 months of the completion of undertaking full-time post-secondary education or skills training.

An **'Only or Principal Home'** is a dwelling house that is occupied continuously for a minimum period of six months in every twelve month period. For the avoidance of doubt the dwelling shall not be occupied as a holiday home, second home or for short term let accommodation.