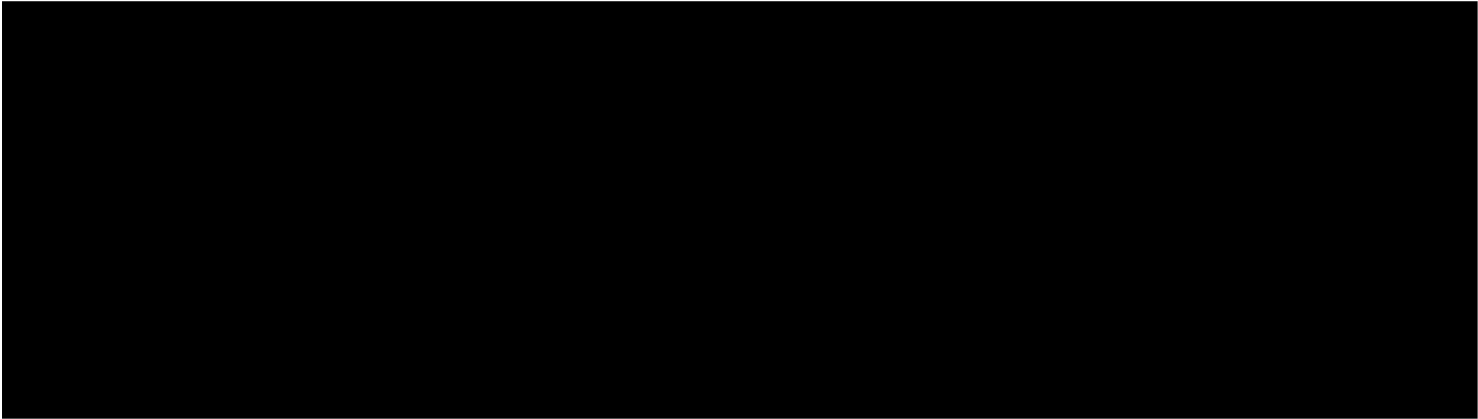




From: Arjan De Jong
Sent: 07 November 2018 17:08
To: Anita Gardner
Cc: Juan Baeza; Satnam Kaur
Subject: RE: CM/16/18/PL - Dementia Home, Land to the rear of Bairds Farm Shop

Hi Anita,

I am following up on our discussion yesterday to confirm that I have instructed legal for opinion regarding para 64 of the NPPF. Furthermore I have undertaken a little more research which has thrown up the following from a legal blog which would appear to suggest that paragraph (b) is not the get out of jail free card which the developers you met with appear to have suggested. The blog suggests that as suspected para 64 only refers to the 10% which should otherwise be a form of *home ownership* rather than the affordable element as a whole.

These exemptions largely relate to housing models or sectors of the market where allowing people to buy or acquire their homes at a discounted or reduced rate would make no sense - such as Build to Rent or Student Accommodation schemes, where the whole point is that the entire scheme is operated on a rental model.

Therefore, I confirm that the reasons for refusal from housing remain. As Juan suggested should Counsel contradict this view we can withdraw this objection at a later date.

Thanks,

Arjan

From: Anita Gardner
Sent: 06 November 2018 12:22
To: Arjan De Jong
Subject: CM/16/18/PL - Dementia Home, Land to the rear of Bairds Farm Shop

Hi Arjan,

I had a meeting with agents for the above application this morning.

One of the reasons for refusal relates to the need for affordable housing contributions. The agent drew our attention to paragraph 64 of the new NPPF dated July 2018 which is more recent than the Counsels advice we have previously received.

It states :

Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

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

Given (b) the agent has challenged the affordable housing reason for refusal. In your view is this reason reasonable and in accordance with policy or would you suggest removing this reason for refusal on the basis that it would be difficult to defend at appeal?

Could you let me have your views by the end of the week so that I can update my Committee report accordingly?

Thanks
Anita

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