

AFFORDABLE HOUSING EXCEPTION SITES – HEADLINE NOTE

Table 1: LDP Affordable Exception Site Policies*			
LDP	Policy	Dwelling Cap	Justification
Carmarthenshire 2 nd Deposit Revised LDP 2018-2033 (Published February 2023)	Policy AHOM2 (Affordable Housing – Exceptions Sites)	No specific cap	The 2 nd revised deposit LDP advises that sites must be of an appropriate scale and adjoining settlement limits.
Pembrokeshire Deposit LDP 2 2017-2033 (Published March 2020)	Policy GN 17 (Exception Sites for Local Needs Affordable Housing)	No specific cap	Sites must prove identified local need and be proportionate in scale and nature to the settlement by which they are located.
Swansea LDP 2010 – 2025 (Adopted February 2019)	Policy H6 (100% Affordable Housing Exception Sites)	No specific cap	Proposals must be of an appropriate scale and sustainable location.
Powys Adopted LDP 2011-2026 (Adopted April 2018)	Policy H6 (Affordable Housing Exception Sites)	No specific cap for larger settlements but proposals 'must be appropriate to the location'. Smaller villages are limited to a maximum of 5 units.	Sites must be proven to meet unmet local need and protect the character of the area. Proposals will be measured against settlement tiers for their suitability.
Vale of Glamorgan LDP 2021-2036 (Adopted June 2017)	Policy MD10 (Affordable housing developments outside settlement boundaries)	Generally, 10 or less, although this is location dependent	In or adjoining larger settlements, greater numbers (proportionate to settlement size) may be appropriate if required to meet specific needs
Neath Port Talbot LDP 2011-2026 (Adopted January 2016)	Policy AH2 (Affordable Housing Exception Sites)	9 Units or less	Sites must be able to evidence genuine local need and be of an appropriate scale in relation to existing settlements
Cardiff LDP 2006-2026 (Adopted January 2016)	Policy H3 (Affordable Housing)	N/A – No specific policy on exception sites	
Newport Adopted LDP 2011-2026 (Adopted January 2015)	Policy H5 (Affordable Housing Exceptions)	No specific cap.	Sites must identify genuine local need and be able to maintain the benefit of low cost for all subsequent occupants.
Rhondda Cynon Taff LDP 2006-2021 (Adopted March 2011)	Policy AW 3 (Sites for affordable housing in the countryside)	30 units or 1 hectare maximum	It must be evidenced that the proposal cannot be accommodated within settlement boundaries and be outside of a conservation area.

*Refer to separate document for full policy wording

Table 2: Affordable Exception Site Planning Permissions				
LPA	Application	Approval Date	Location	Number of Units
Vale of Glamorgan	2021/01081/FUL	24/11/2022	Land at St. Brides Road, Wick	17
Vale of Glamorgan	2019/00603/FUL	19/12/2019	Land at Hayes Road, Barry	23
Vale of Glamorgan	2013/01165/FUL	31/03/2014	Land at Old Station Yard, Gileston Road, St Athan	23
Swansea	2020/0343/FUL	07/03/2023	Land North of Chestnut Avenue, West Cross, Swansea	56
Swansea	2020/2357/FUL	29/09/2021	Pencefnarda Farm, Pencefnarda Road, Gorseinon, Swansea SA4 4FY	44
Swansea	2017/2709/FUL	30/05/2019	Land Off George Manning Way, Gowerton, Swansea	41
Rhondda Cynon Taff	18/1290/10	03/10/2019	Land north of the A473, Heol Creigiau, Llantwit Fardre	34
Rhondda Cynon Taff	13/1103/10	04/04/2014	Land off Castellau Road, Beddau, CF38 2RA	39
Powys	20/2118/FUL	22/10/2021	Land Off Forden Road, Montgomery, Powys SY15 6EU	33
Powys	20/1570/FUL	08/02/2021	Development At Dyffryn Foel, Llanfyllin, Powys	13
Pembrokeshire	17/0259/PA	04/08/2017	Land adjacent to Pen Wallis, Fishguard, Pembrokeshire, SA65 9HX	30
Pembrokeshire	11/0583/PA	22/12/2011	Land East of Dale Road, Hubberston, Milford Haven	41

AFFORDABLE HOUSING EXCEPTION SITES – POLICY TEXT

Carmarthenshire 2nd Deposit Revised LDP 2018-2033 (Published February 2023)

Policy AHOM2 (Affordable Housing – Exceptions Sites)

Proposals for 100% affordable housing development on sites adjoining the Development Limits of defined settlements (Tiers 1-3 in Policy SP3), will, in exceptional circumstances be permitted where it is to meet a genuine identified local need (as defined within the Glossary of Terms) and where:

- a. The site represents a logical extension to the development limits and is of a scale appropriate, and in keeping with the character of the settlement;*
- b. The benefits of the initial affordability will be retained for all subsequent occupants;*
- c. It is of a size, scale and design compatible with an affordable dwelling and available to low or moderate income groups;*
- d. There are no market housing schemes within the settlement, or projected to be available which include a requirement for affordable housing.*

Amplification Text Summary

- 11.123 The granting of planning permission will be subject to conditions and planning obligations which ensure the affordable housing remains available to meet future local affordable housing needs.
- 11.124 An affordable dwelling must be compatible with WG's Design Quality Requirement standards to limit its size, scale and design to ensure that the dwelling falls within a reasonable and acceptable affordable dwelling cost for future occupants. In exceptional circumstances, a departure from these standards may be considered appropriate where they are to meet the occupant's needs and are clearly evidenced and justified.
- 11.125 The Council may remove or restrict permitted development rights to place limitations upon amendments to the dwelling's size, scale and design to ensure its continued affordability for subsequent occupants.
- 11.126 Exceptions sites will only be permitted where satisfactory evidence is available which supports the provision. Proposals to meet speculative local need application will not be considered, rather they should relate to an identified need from individuals/families within the specific area.
- 11.127 Exceptions sites should not generally be considered in a settlement where existing allocations are being brought forward and an element of affordability is being provided as part of that development. Evidence will be required to demonstrate that no schemes on allocated sites are projected to commence within a reasonable time period.

Pembrokeshire Deposit LDP 2 2017-2033 (Published March 2020)

Policy GN 17 (Exception Sites for Local Needs Affordable Housing)

Local needs affordable housing on land that would not otherwise be released for housing will be permitted in exceptional circumstances where the following criteria are met:

- 1. The site is within or immediately adjoining a Settlement Boundary;*
- 2. A local need for affordable housing has been identified;*
- 3. The community in which the site is located is adequately served with facilities to support the proposed development; and*
- 4. All the benefits of affordable housing provision, built for the exclusive occupation of local people in need of affordable homes, will pass to the initial and all subsequent occupants.*

Amplification Text Summary

- Exception sites will be supported at locations with Settlement Boundaries. Where there is an identified need for affordable housing, which cannot be satisfied by existing provision, local needs affordable housing can be provided as an exception to normal planning policies.
- The majority of affordable housing will likely continue to be provided by Registered Social Landlords and the Council through its Housing Revenue Account build programme, but other local organisations such as community land trusts may also play a role in delivery provided that the dwellings remain affordable for local people into the future.

Swansea LDP 2010-2025 (Adopted February 2019)

Policy H6 (100% Affordable Housing Exception Sites)

Affordable housing exception sites must:

- *Represent a logical extension to the existing settlement and is of a scale appropriate to and in keeping with the character of the settlement;*
- *Be in a sustainable location having reasonable access to at least a basic range of services;*
- *Be of a size, scale and design compatible with affordable dwelling standards and available to low or moderate income groups;*
- *Have binding agreements in place to ensure that the initial affordability benefits will be retained in perpetuity for all successive occupiers who meet the Council's occupancy criteria;*
- *Demonstrate that there are no satisfactory alternative arrangements to meet the need within the locality; and*
- *Cause no loss of land of important recreational, amenity or natural heritage value.*

The proposed affordable housing should meet the needs of local people in perpetuity, which will be tied to the planning consent by means of a legal agreement.

Amplification Text Summary

- Affordable housing exception sites must be within or adjoining existing settlements.
- Legal agreements and/ or conditions will be used to ensure that the agreed percentage of Affordable Housing for Local Needs and Local Needs Housing is delivered and that the type and mix and local occupancy restrictions meet the objectives of the policy.
- Sites identified must be of an appropriate nature and in a location which is in accordance with the Plan's strategy of creating sustainable communities. Furthermore, proposals must have regard to their ecological, landscape, cultural and amenity impact.
- Outside settlement boundaries, within the area defined as countryside, proposals will be determined against Policy CV 2 Development in the Countryside, which restricts development as set out in TAN 6 Planning for Sustainable Rural Communities.

Powys LDP 2011-2026 (Adopted April 2018)

Policy H6 (Affordable Housing Exception Sites)

Proposals for the development of affordable housing to meet a proven, unmet local need in Towns, Large Villages, Small Villages and Rural Settlements will be permitted where:

- *The proposed development is of a size, scale and tenure commensurate with the defined need and appropriate to the settlement tier, and accords with the requirements of Policy H1; and*
- *2. The site is solely for affordable housing and there are clear and adequate arrangements to ensure that the benefits of affordable housing are secured for initial and subsequent occupiers, in accordance with the requirements of Policy SP3.*

Amplification Text Summary

- Sites adjacent to Towns and Large Villages are likely to be suited to accommodating the larger affordable housing schemes and therefore these sites are reserved for development by Registered Social Landlords, or equivalent organisations, or the Strategic Housing Authority.
- Affordable housing development in Rural Settlements will be restricted to single affordable dwellings to meet a specific identified local need.
- New affordable homes should be of a size, scale and tenure that is commensurate with the defined need.

Policy H1 – (Housing Development Proposals)

Policy H1 states that housing development proposals will only be permitted:

- *In larger towns or villages on sites allocated for housing or on other suitable sites within the development boundary; or*
- ***On sites forming logical extensions outside development boundaries for affordable housing in accordance with Policy H6.***
- ***In small villages on sites located between existing buildings in an otherwise built-up frontage or which form logical extension to the settlement, and which are capable of accommodating no more than 5 dwellings for affordable housing in accordance with Policy H6.***

***GJP Emphasis**

Vale of Glamorgan 2021-2036 (Adopted June 2017)

Policy MD10 (Affordable housing developments outside settlement boundaries)

Small scale affordable housing developments will be permitted outside settlement boundaries where they have a distinct physical or visual relationship with an existing settlement and where it is demonstrated that:

- 1. The proposal meets an identified local need which cannot be satisfied within identified settlement boundaries;*
- 2. The number of dwellings is in proportion to the size of the settlement;*
- 3. The proposed dwelling(s) will be of a size, tenure and design which is commensurate with the affordable housing need;*
- 4. In cases where the dwelling is to be provided by either a private landlord or the intended occupier, secure mechanisms are in place to ensure the property shall remain affordable in perpetuity; and*
- 5. The development has reasonable access to the availability and proximity of local community services and facilities.*

Amplification Text Summary

- Development will need to have reasonable access to local community services and facilities in nearby settlements.
- 'Small scale development' as per policy MD10 will generally mean 10 or fewer dwellings, however, in or adjoining some of the larger settlements, larger proposals may be acceptable if required to meet specific need and where the number of dwellings is proportionate to the size of the settlement and satisfies all the other relevant criteria.
- Affordable housing is normally required to be delivered by a RSL, however if a private developer delivers the proposals a S106 agreement will be implemented to ensure homes are only occupied by people in local housing need, both initially and on successive changes of occupier.

- Dwellings should be provided in accordance with the requirements outlined in the Council's Local Housing Market Assessment.
- The Council may also control future permitted development rights to ensure that properties are not extended or altered in any way to increase values beyond an affordable level.

Neath Port Talbot LDP 2011-2026 (Adopted January 2016)

Policy AH 2 (Affordable Housing Exception Sites)

Small affordable housing sites (9 units and below) outside identified settlement limits will be permitted where all of the following criteria, where relevant, are satisfied:

- 1. Evidence exists in the form of a local housing needs survey (or by reference to alternative housing need data) that there is a genuine demonstrable local need for such accommodation;*
- 2. It is demonstrated that the need for affordable housing cannot be satisfactorily met within existing settlement limits and the development is located adjacent to an existing settlement;*
- 3. The site is solely for affordable housing and there are clear and adequate arrangements to ensure that the benefits of affordable housing will be secured for initial and subsequent occupiers.*

Amplification Text Summary

- RSLs must be able to fully justify the release of such sites by demonstrating there is genuine evidence of local need (people who live either within the area or have family connections to the area and who require affordable housing), which cannot be addressed within the existing settlement. Applicants will be required to demonstrate that the need in the area cannot be met within LDP housing allocations in that area or within existing settlement limits.
- Developments must be of no more than 9 dwellings, be appropriate in scale, relate to the existing settlement, be accessible to facilities and services and not cause any unacceptable detriment to the character or landscape of the surrounding area.
- In permitting developments of affordable housing in these locations, conditions will be imposed which will place an obligation on the development to ensure the affordable units will remain available in perpetuity to meet affordable housing need.

Cardiff LDP 2006-2026 (Adopted January 2016)

Policy H3 (Affordable Housing)

The Council will seek 20% affordable housing on Brownfield sites and 30% affordable housing on Greenfield sites in all residential proposals that:

- i. Contain 5 or more dwellings; or*
- ii. Sites of or exceeding 0.1 hectares in gross site area; or*
- iii. Where adjacent and related residential proposals result in combined numbers or site size areas exceeding the above thresholds, the Council will seek affordable housing based on the affordable housing target percentages set out above.*

Affordable housing will be sought to be delivered on-site in all instances unless there are exceptional circumstances.

Amplification Text Summary

- The policy applies to all proposed housing developments covering the policy thresholds. Housing designed for students is excluded from affordable housing contributions.
- Affordable housing encompasses both social rented and intermediate housing. Secure mechanisms are to be implemented to ensure affordable housing is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers.

- Evidence of affordable special needs housing may be provided as all, or part of, the affordable housing agreement subject to Council agreement.
- Provision for affordable housing will be sought on-site unless the council consider it to be impractical or inappropriate. In such exceptional circumstances, affordable housing may be provided off-site as agreed with the council or a financial contribution may be provided. The provision of affordable housing should in any case address the need identified in relation to the proposed development.
- A report following a housing viability study undertaken by Peter Brett Associates confirms that affordable housing is viable at 30% on greenfield sites and at 20% on brownfield sites (based on indicative tenure mixes of 40% social rented, 40% intermediate rented and 20% Low Cost Home Ownership). This is consistent with the recommendations of the Cardiff Local Housing Market Assessment and the Economic Viability Reports of 2013 and 2014 in seeking an appropriate mix of tenures to address evidenced housing need over the Plan period.
- In negotiating affordable housing, each proposal's actual contribution will depend on that scheme's capacity for provision. This will ensure that the affordable housing contribution in itself will not make the scheme unviable. The Council will work with developers to agree a contribution in an open and transparent manner. In cases where agreement cannot be reached, an independent assessment will be commissioned to be paid for by the applicant/developer. The assessment should include details and costs of the necessary infrastructure to be delivered either wholly or in part to support the delivery of sustainable neighbourhoods.
- The Policy will normally be implemented by the use of a planning obligation in accordance with Policy KP7.

Newport LDP 2011-2026 (Adopted January 2015)

Policy H5 – (Affordable Housing Exceptions)

Favourable consideration will be given to proposals for the provision of affordable housing on sites in or adjoining settlements, that would not otherwise be released for development provided that:

- There is genuine local need identified; and
- There are arrangements in place to ensure that the benefit of low cost is maintained for all subsequent occupants.

Amplification text summary

Planning Policy Wales allows for the release of sites for affordable housing, as an exception to normal housing Policies. A local needs survey will be required to show that there is a genuine local need for this type of accommodation. GP policies will apply to all proposals, and sites in the Green Belt or Green Wedges should not be considered until all other possibilities have been explored.

Rhondda Cynon Taff LDP 2006-2021 (Adopted March 2011)

Policy AW 3 (Sites for affordable housing in the countryside)

Development proposals for the provision of affordable housing outside and adjoining the identified settlement boundaries will be permitted where it can be demonstrated that:

- 1. The proposed development cannot be accommodated within the defined settlement boundaries;*
- 2. The site does not exceed 30 dwellings or 1 hectare;*
- 3. The proposed development is solely for the provision of affordable housing to meet an identified local need;*
- 4. The proposed development is not within a Green Wedge, Special Landscape Area or within, near or adjacent to an internationally, nationally or locally designated nature conservation site.*

Amplification Text Summary

- The Council's preference will always be for development to take place within defined settlement boundaries. However, it is recognised that factors such as the availability of land and high land values, may mean that it may not be possible to deliver affordable housing within the defined settlement boundaries.
- In permitting the development of affordable housing in these locations, the Council will require Registered Social Landlords to demonstrate why development cannot take place within the defined settlement boundaries and that appropriate mechanisms are in place to ensure the units are secured in perpetuity.
- Locally designated nature conservation sites include Sites of Importance for Nature Conservation, Local Nature Reserves and Wildlife Trust Nature Reserves