

Annex B – Detailed summary of representations made between May-July 2019, and the Council’s response

Comment ref	Name/Organisation	Comment	Council response
AH1	Campbell Park Parish Council	Support implementation of the SPD	Noted
AH2	Whaddon Parish Council	Support the policies within Plan:MK provided the percentages truly reflect the current and future MK housing needs. Expect that the figures will be kept under careful review so that the amount of social/affordable housing and housing tenures reflect the ever changing social dynamics of a growing city.	Noted
AH3	Gloucestershire County Council	No comment	Noted
AH4	Natural England	No comment	Noted
AH5	Milton Keynes Development Partnership (c/o Savills)	Support the intention to ensure everyone has the opportunity of a decent home. Support the acknowledgement that the MKC performs a role of providing, enabling and regulating provision with significant importance now placed on assisting other bodies meeting the housing requirements of the community.	Noted
		Concerned at the lack of flexibility in respect of viability testing at the application stage and the potential implications for the delivery of development, particularly within Central Milton Keynes ('CMK'). A blanket approach to all sites within	No change Policy HN2, which was subject to whole plan viability testing and examination in

		<p>Milton Keynes does not appropriately reflect the higher cost of developing within CMK. The SPD may impose such significant financial burden affecting the delivery of development and policy aspirations (e.g. new homes and employment floorspace) in the key location for growth.</p> <p>Request that greater flexibility is provided in the SPD, particularly in respect of CMK.</p>	<p>public, applies to schemes across the borough of Milton Keynes and cannot be changed via this SPD. The approach to considering the provision of affordable housing alongside planning obligations, and issues of viability, is set out in the SPD. This SPD would need to be read alongside the Planning Obligations SPD and other policies of Plan:MK by applicants and decision takers when considering issues of viability, and the guidance in this SPD would support those considerations.</p>
		<p>Support the aspiration of 31% affordable homes in Plan:MK</p>	<p>31% is not an aspiration, it is a requirement of Policy HN2 of Plan:MK</p>
		<p>Paragraph 1.4 suggests viability testing of specific schemes is inappropriate and won't be entertained following the EiP of Plan:MK and consideration of the Whole Plan Viability Study. This is contrary to NPPG.</p> <p>The Whole Plan Viability Study is a high level study and cannot be relied upon to test the viability of specific schemes in CMK. Its purpose was to inform general policies and approach and to test relatively simple and cautious assumptions, rather a detailed analysis of all sites and development types.</p> <p>Paragraph 1.4 should be made more flexible to viability to be tested at application stage.</p>	<p>No change</p> <p>Planning Practice Guidance states that policy compliant schemes are assumed to be viable (with viability of policies and allocations demonstrated through the plan making process) with the onus upon the applicant to demonstrate whether particular circumstances justify viability testing of a given. Paragraph 1.4 is consistent with this approach.</p>
		<p>Support paragraph 3.14 which states a pragmatic approach will be taken to ensure development is viable and</p>	<p>Noted</p>

		deliverable.	
		Support the requirement for an open book approach to viability evidence	Noted
AH6	Gladman Developments Limited	SPDs cannot be used to set policy and avoid the need for examination of policy. In line with the NPPF, they should provide guidance on existing policy in the Development Plan	Noted. The SPD provides guidance to Policy HN2 which was examined as part of Plan:MK
		The SPD needs to be clear that the mix set out in table 3.1 is a starting point to guide negotiations, as the mix of affordable homes on a site can have a significant impact on viability, and may need to be varied.	No change The subsequent paragraph to Table 3.1 states that the housing mix shown in the table is a preferred mix, but notes that it is only one of the factors that inform the mix of any particular scheme.
		The SPD needs to be prepared in line with the revised NPPF 2019 and PPG	It is unclear what aspects of the revised NPPF are being referred to, however, changes are suggested to ensure conformity with the NPPF and PPG.
AH7	Rentplus (c/o Tetlow King Planning)	Support the emphasis in paragraph 1.4 on affordable housing meeting the range of needs that residents of Milton Keynes have and the rent levels they can afford	Noted
		We note that the SPD supports Plan:MK which is based on the SHMA published in 2017. The SHMA is now dated in the context of the revised NPPF, and wider definition of affordable tenures. The amendments within the PPG provide limited guidance on assessing the quantitative need for those innovative tenures now recognised in the NPPF. As Plan:MK is implemented within the context of the revised NPPF (2019), all development proposals with an affordable housing offer will be considered against the new definitions.	Noted The Council is planning to update its housing needs evidence to provide more recent information to inform decision making and the review of Plan:MK. This work will take account of changes in the NPPF and PPG, and will seek input from stakeholders on the brief and methodology for assessing the affordability of all

		<p>This means that it is very important for the approach within the Affordable Housing SPD to properly consider the impact of the full range of affordable housing tenures on meeting housing needs.</p> <p>We ask that the Council consider producing a SHMA addendum, considering the extent of needs for affordable rent to buy, and how the new guidance on the delivering rent to buy in the SPD can be used to better implement Policy HN2 in the context of the revised NPPF.</p>	affordable tenures included in the revised definition.
AH8	Colin Smith	The comments received pertained to South Caldecotte and South East MK rather than the Affordable Housing SPD	n/a
AH9	David Lock Associates	This flexible application of the policy in SPD is supported; this allows for the mix, types and sizes of homes to be adjusted to reflect site circumstances and housing requirements over time as well as wider design ambitions and objectives of the Council.	Noted
		Paragraph 2.8 sets out the tenure mix as 20% affordable rent, 5% social rent and 6% shared ownership. This appears to differ to the tenure split set out in policy HN2. As primary policy, the recently adopted policy HN2 of Plan:MK should take precedence and the SPD should be amended to reflect the 25% requirement.	<p>No change</p> <p>The SPD explains how the wording of Policy HN2 on the tenure mix should be read and interpreted to ensure clarity for applicants and decision takers. The basis of the guidance in the SPD reflects the interpretation of Policy HN2 during the examination in public and the Inspector's conclusions on its soundness.</p>
		The draft SPD sets out the relationship between income and housing cost and suggests affordability is therefore dynamic. This is correct but the evidence suggests that the movement	<p>No change</p> <p>Whilst a trend of improving affordability is</p>

		is only towards increasing unaffordability; the text should recognise that movement is possible both ways.	possible, the discussion in the SPD reflects recent trends in Milton Keynes and the vast majority of the wider region that affordability has worsened, which forms the main basis for the necessity of Policy HN2 and the SPD itself.
		Para 3.3 recognises that the SHMA only gives a snapshot at a particular moment in time. The current SHMA dates from 2017 and uses data from 2016. It is suggested that the text of the SPD should be explicit that officers will use the most up-to-date evidence available at the point of determining a planning application.	No change Paragraph 3.5 already states that “the size and tenure mix should be as indicated by MKC’s most up to date housing needs analysis at the time of application.”
		Paragraph 3.5 states that the affordable housing mix percentages as set out in Table 3.1 are "not rigidly applied across all sites" but are considered as one factor to inform the housing mix. This position is supported.	Noted
		Paragraph 3.25 of the draft SPD states that, in line with paragraph 62 of the NPPF, need should be met on site unless off-site provision or an appropriate financial contribution is justified. The Council sets out levels of payment based on 2017 evidence. The Council should include (or at the least make reference to the need for) a review mechanism of these costs to ensure they remain reasonable and reflect the current values at that time.	No change Paragraph 3.25 already states that the sum cited will be”...kept under review throughout the plan period in line with CPI Indexation (using April 2019 as the base date)
AH10	Milton Keynes Homelessness Partnership	Agree that Starter Homes are unaffordable and do not meet the identified needs for affordable housing	Noted
		We are encouraged that the affordable housing mix sought by the Council is primarily affordable rent (up to 80% market value or LHA whichever is lower) and social rent.	Noted

		We are pleased to note that the Council's strategy is taking account of the need for Houses in Multiple Occupation.	Noted
		Given the significant under delivery of affordable homes in the last decade, we are keen to work with the Council on policies that enable more genuinely affordable homes to be built out as needed. We are pleased to note that the Council encourages alternative models for delivery of affordable housing. We will be working with our Partners to consider models that could accelerate delivery of affordable housing.	Noted
		We would suggest that 100% affordable housing be considered as an option for small sites given the Council's preference for a maximum of 12 affordable dwellings together, noting Plan:MK indicates support only for provision of 31-50% affordable	No change Plan:MK policy cannot be changed via the SPD. Also Plan:MK would not allow the Council to require 100% affordable housing on small sites, but does support proposals for more than 50% provided they help maintain or create mixed and sustainable communities.
		We agree with the Council's position that the price of land should not affect viability as it should be factored into the Developers purchase price.	Noted
		The Council should consider zoning sites for affordable housing with an appropriate mix of tenure for a sustainable community in order to reduce land values and accelerate delivery of affordable housing by Registered Providers.	Noted This proposal would need to be considered and implemented through the process of reviewing and preparing a new Local Plan The Council will soon be embarking upon a review of Plan:MK and preparing a new Local Plan, however, any resultant allocations or zoning would not be in place

			for a number of years due to the time taken to progress a Local Plan to adoption.
AH11	Redrow Homes/ Merton College Oxford/ Wavendon Residential Properties LLP	The cluster size of 12 affordable units is too restrictive, particularly for larger schemes and where the proposal is for flats. 16 or preferably 20 units would be more appropriate.	The SPD states that clusters should generally not exceed 12 units to ensure mixed and sustainable communities, but it does not preclude larger clusters in all cases. Where design and other materials considerations indicate a larger cluster would be appropriate (for example to achieve efficient layout of flats) then this would be considered as part of an application and may justify a larger cluster size. The SPD will be amended to clarify this.
		Provision of shared facilities and open space for all tenures will increase service charges on affordable units, potentially making them less affordable. An appropriate balance between the desire to encourage community cohesion, provide affordable accommodation and enable easy/efficient management needs to be struck	No change Plan:MK and this SPD, in line with the NPPF, seek to achieve mixed and sustainable communities. Segregating affordable homes from shared facilities and open space would not achieve this. In line with the NPPF definition of affordable housing, service charge costs are included within the overall rent costs assumed when setting rent levels for affordable units
		The requirements set out at paragraphs 3.29 and 3.30 could not be met/demonstrated within an Outline Planning Application as such details would only be known at reserved matters stage. A condition would be required on the Outline	It is normal planning practice to set out the scale and mix of affordable housing within Section 106 agreements attached to outline planning permissions. This is to ensure that

		to satisfy this requirement.	the proposed development overall complies with Policy HN2, rather than being left to individual parcels to ensure the development overall complies with Policy HN2
AH12	CMK Town Council	Paragraph 3.5. Object to the seeking family sized accommodation in CMK. There is no reasoned justification for this requirement and it is contrary to the adopted Development Plan (CMK Alliance Neighbourhood Plan) which seeks housing in CMK to cater for the needs of smaller sized households, and to avoid larger units as these are prone to conversion to HMO. There are no facilities in CMK to support families (e.g. schools, GPs)	<p>It is requested that this issue is discussed by the CAG to inform a final decision on the approach to take within the SPD.</p> <p>The options are to maintain the existing wording of the SPD (Proposals located within CMK and larger sites should be capable of accommodating families and specialist housing needs. This should include larger affordable homes of 3+ bedrooms.)</p> <p>OR</p> <p>State that provision of family-sized affordable units in CMK would preferably be met through a commuted sum payment</p> <p>OR</p> <p>to remove entirely the reference to the provision of 3+ bedroom properties in relation to CMK.</p>
		Paragraph 3.5. The term 'larger sites' is too imprecise.	No change

			<p>The wording reflects and is consistent with the wording used in Policy HN1 of Plan:MK</p>
		<p>Paragraph 3.8. The Whole Plan Viability Study to support Plan:MK shows that 31% affordable housing is not viable for a Build-to-Rent or PRS scheme (see Table 10.12b bottom two rows on page 158). We note that the more realistic percentage achievable on these schemes would be at most 10%.</p>	<p>As accepted by the Plan:MK Inspector in his final report, there is insufficient evidence to properly understand the ability of Build to Rent proposals to provide 31% affordable housing, and therefore viability testing of such proposals at application stage would likely be necessary. This stems from the fact that the development economics of the Build to Rent model is markedly different to the normal build for sale model.</p> <p>Plan:MK and the examination of it was based on the NPPF 2012 and associated PPG. The Revised PPG issued in September 2018 states that 20% of units set at 80% of market rent levels is generally a suitable benchmark for the level of the provision of affordable private rent (or Discounted Market Rent to adopt the terminology used in Plan:MK) in Build to Rent proposals.</p> <p>In order to be in conformity with the PPG, reflect the statutory Development Plan policy, and avoid attempting to set new policy in the SPD, it is suggested to add the</p>

			<p>following text to the SPD:</p> <p>“It was accepted by the Plan:MK Inspector in his final report, that there is insufficient evidence to properly understand the ability of Build to Rent proposals to provide 31% affordable housing, and therefore viability testing of such proposals at application stage would likely be necessary. He stated that</p> <p>“The plan-wide viability study’s advice on the build-to-rent sector is that it cannot viably deliver affordable housing. However, I am cautious that a residual land value model may well struggle to capture the intricacies of a build-to-rent scheme, particularly given the very few examples in Milton Keynes. In my view a precautionary approach is required and exempting this sector [from Policy HN2] would not be justified.”</p> <p>In line with Policy HN2 but reflecting the issues noted by the Plan:MK and the more recent advice contained in the national planning practice guidance on Build to Rent and viability, it is acknowledged that the circumstances of the Build to Rent model presents challenges in terms of the</p>
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			<p>viability of providing affordable homes within such schemes. Where it can be demonstrated by applicants that it would be unviable to provide 31% of Build to Rent units at 80% of market rates or at Local Housing Allowance rates, the Council will expect applicants as part of their viability evidence to test and demonstrate the viability of alternative levels of provision in the following sequence:</p> <ol style="list-style-type: none"> 1. 25% of units at 80% market rate/LHA rate 2. 20% of units at 80% market rate/LHA rate”
.		Paragraph 3.10 is welcomed	Noted
		Paragraph 3.20. Support pepper-potting, but object to the statement that exceptions may be made in areas of significantly higher density such as CMK. Lessons should be learnt from the pepper-potting experience at the Hub. If more than 12 units will be in one block then they should have their core for access (e.g. Dalgin place)	<p>The SPD states that clusters should generally not exceed 12 units to ensure mixed and sustainable communities, but it does not preclude larger clusters in all cases. Where design and other materials considerations indicate a larger cluster would be appropriate (for example to achieve efficient layout of flats) then this would be considered as part of an application and may justify a larger cluster size.</p> <p>The SPD will be amended to clarify this.</p>
AH13	Wavendon Properties (c/o	We find it very odd that paragraph 2.7 rejects the inclusion of Starter Homes as a form of affordable housing in Milton	No change

	Waller Planning)	<p>Keynes, despite acknowledging that Policy HN2 of Plan:MK is already out of date, due to its not mentioning this type of affordable housing.</p> <p>The consideration of the affordability of Starter Homes during the examination was based on the NPPF 2012 where Starter Homes were not part of the affordable housing definition. This has now changed. The assessment of affordability of Starter Homes in the SHMA is also too simplistic. The second part of paragraph 2.7 should be deleted, and the SPD should be revised to acknowledge that all types of affordable housing included within the Glossary to the NPPF 2019 are acceptable within Milton Keynes Borough.</p>	<p>The SPD does not state that Policy HN2 is not out of date. Paragraph 2.8 states that “Therefore, when determining applications, the tenure split within Policy HN2 is considered to still carry considerable weight and should be the starting point when considering the provision of affordable housing on qualifying proposals.”</p> <p>The Council is planning to update its housing needs evidence to provide more recent information to inform decision making and the review of Plan:MK. This work will take account of changes in the NPPF and PPG, and will seek input from stakeholders on the brief and methodology for assessing the affordability of all affordable tenures included in the revised definition.</p>
		<p>We note that the SPD does little to clarify the types of affordable homes which can be provided within Milton Keynes Borough. But there is nothing within the SPD which explains how the new types of affordable housing, such as Starter Homes and discounted market sales housing can be provided as part of a policy compliant development, as the affordable housing provision. It is necessary for the SPD to address this issue directly, as it otherwise only serves to muddy the waters. The SPD should be expanded to explain how all types of affordable housing included within the Glossary can be provided in meeting the need for 31% of new</p>	<p>The SPD, in paragraph 2.7, restates the position accepted by the Plan:MK Inspector that Starter Homes would not meet the housing needs of those who’s need cannot be met by market. The same conclusion can also be drawn for discounted market sales homes, which are effectively equivalent to Starter Homes albeit with different eligibility criteria.</p> <p>Notwithstanding the above, the Council is</p>

		housing on qualifying sites to be affordable.	planning to update its housing needs evidence to provide more recent information to inform decision making and the review of Plan:MK. This work will take account of changes in the NPPF and PPG, and will seek input from stakeholders on the brief and methodology for assessing the affordability of all affordable tenures included in the revised definition.
		Paragraph 3.22 implies that the provision of affordable housing should be doubled where it is to be located on an alternative site, and that site would accommodate a level of housing which is individually above the threshold for providing affordable housing. This may simply be a case of the text not having been drafted clearly. However, if the intention is that there should be a doubling of affordable housing provision, which relates to a single development proposal, this would not be justified. Paragraph 3.18 should be deleted	No change. The text does not imply doubling or duplicating provision.
AH14	Wolverton and Greenleys Town Council	The text should state clearly here how affordability is assessed; and ideally that the definition of 'affordable' offered in Policy HN2 is periodically reviewed to assess how realistic it is.	The approach to assessing affordability is set out in the Council's Strategic Housing Market Assessment underpinning Policy HN2. The Council is planning to update its housing needs evidence to provide more recent information to inform decision making and the review of Plan:MK. This work will take account of changes in the NPPF and PPG, and will seek input from

			stakeholders on the brief and methodology for assessing the affordability of all affordable tenures included in the revised definition.
		Para 3.9 mentions "exceptional circumstances" but these requests seem to be the norm, not the exception. It's no good having a policy on affordable homes if developers argue not to meet it.	No change
		3.12 and following sections. Needs to emphasise that the affordable housing target is the standard and deviations from it will only be allowed in a minority of cases. As currently written it supports developers in challenging the requirement.	No change In line with regulations, to be acceptable development proposals should comply with policies within the statutory Development Plan unless material considerations indicate otherwise. The SPD is consistent with this guiding principle of the regulations.
		Should refer to the Nationally Described Spaces Standards to make it explicit that these are now a policy requirement	No change The NDSS are require by Policy HN4 of Plan:MK, and it is not necessary to repeat this in the SPD
		Comment about parking provision in relation to the criteria within Policy HN1	This is not a matter for the SPD.
AH15	Broughton and Milton Keynes Parish Council	Support the ambition to increase the level of affordable housing in the city and importantly, accessibility to it.	Noted
		Too much wiggle room over viability to allow developers to under provide, move it to a nearby site or pay a lump sum	No change
		Where proposals are for flat there should be sufficient rigour in approving and inspecting the quality of building materials	No change.

		used.	This is not a matter for this SPD. Materials choice is typically subject to control via planning conditions.
		There are no specific references to the impact of an ageing population and what the definition of affordability for them will be and what delivering a 'healthy city' will mean. We encourage the Council to engage stakeholders who understand the needs of the ageing population.	Noted The Council is planning to update its housing needs evidence to provide more recent information to inform decision making and the review of Plan:MK. This work will take account of changes in the NPPF and PPG, and will seek input from stakeholders on the brief and methodology for assessing the affordability of all affordable tenures included in the revised definition.
AH16	Stony Stratford Town Council	Concerned that the balance of power is in favour of the developer through the viability assessment process. If sites had been bought within last 18 months then the viability argument should be disbarred from the accepted affordable housing quota.	Noted. The approach to viability within the SPD is consistent with revised planning practice guidance on viability within decision making.
		Minor error was made in 3.4,' Table 3.1 Source: Figure 69 Milton Keynes SHMA 2016-2031 (ORS, February 2017). 'Columns made not sum to 100 due to rounding'. Should this be 'may'	Yes, this is an error. The table will be amended.
AH17	Crest Nicholson (c/o Bidwells	The 'Affordable Housing Target and Tenure Mix' requirements on page 7 of the draft Affordable Housing SPD is in line with the requirements set by adopted Plan:MK policy HN2.	Noted
		Welcome the consistency of the draft SPD with Plan:MK	Noted

		regarding payment in lieu of affordable housing.	
		Paragraph 3.18 states that affordable housing should be 'pepper potted' with 'clusters' not exceeding 12 affordable Dwellings. This is not stated in Plan:MK, and introducing new requirements such as a cluster size limit within an SPD should be avoided as it should instead be included within policy.	No change It is reasonable for the SPD to offer guidance to aid the interpretation and application of Policy HN1 and Policy HN2, as well other policies related to creating mixed, sustainable and inclusive communities.
		A cluster size limit of 12 will not always necessarily be suitable in relation to the scale and nature of a site (e.g. in higher density schemes, to facilitate good design, blocks may contain more than 12 units.	The SPD states that clusters should generally not exceed 12 units to ensure mixed and sustainable communities, but it does not preclude larger clusters in all cases. Where design and other materials considerations indicate a larger cluster would be appropriate (for example to achieve efficient layout of flats) then this would be considered as part of an application and may justify a larger cluster size. The SPD will be amended to clarify this.
AH18	Herms CMK General Partner Ltd (c/o Turley)	Paragraph 2.5 fails to recognise that there can be circumstances which justify the requirement for viability assessment and necessity for deviation from the proportion of affordable housing sought within Policy HN2 of Plan:MK, as per Planning Practice Guidance.	No change Planning Practice Guidance states that policy compliant schemes are assumed to be viable (with viability of policies and allocations demonstrated through the plan making process) with the onus upon the applicant to demonstrate whether

			particular circumstances justify viability testing of a given scheme.
		The MK Whole Plan Viability Study (2017) concludes that BTR development cannot viably accommodate affordable housing alongside the other collective policy requirements of Plan:MK. It explicitly states this at paragraph 10.70 and 10.71	<p>No change.</p> <p>SPD cannot change the policy set out in Plan:MK.</p> <p>This matter was discussed at the Plan:MK examination, with the Plan:MK Inspector stating in his final report:</p> <p>“The plan-wide viability study’s advice on the build-to-rent sector is that it cannot viably deliver affordable housing. However, I am cautious that a residual land value model may well struggle to capture the intricacies of a build-to-rent scheme, particularly given the very few examples in Milton Keynes. In my view a precautionary approach is required and exempting this sector [from Policy HN2] would not be justified.</p>
		<p>The Plan:MK acknowledges that BTR development would be subject to viability due to the paucity of evidence for this model of development.</p> <p>Evidence base for requiring 31% affordable from BTR is also questionable. The viability assessment prepared to assess the viability of BTR development, and underpinning Plan:MK, does not justify MKC setting affordable private rent</p>	<p>As accepted by the Plan:MK Inspector in his final report, there is insufficient evidence to properly understand the ability of Build to Rent proposals to provide 31% affordable housing, and therefore viability testing of such proposals at application stage would likely be necessary. This stems from the fact that</p>

		<p>proportions or discount levels at a level differing from national planning policy and guidance.</p> <p>paragraph 2.5 of the draft AH SPD is misleading and inconsistent with national planning policy and guidance. It should be modified to:</p> <p>(a) state the range of circumstances described in PPG Viability where a viability assessment is justified; and</p> <p>(b) confirm that flexibility will be allowed in the application of part F of Policy HN2 of Plan:MK in accordance with the process set out in part D of the policy.</p>	<p>the development economics of the Build to Rent model is markedly different to the normal build for sale model.</p> <p>Plan:MK and the examination of it was based on the NPPF 2012 and associated PPG. The Revised PPG issued in September 2018 states that 20% of units set at 80% of market rent levels is generally a suitable benchmark for the level of the provision of affordable private rent (or Discounted Market Rent to adopt the terminology used in Plan:MK) in Build to Rent proposals.</p> <p>In order to be in conformity with the PPG, reflect the statutory Development Plan policy, and avoid attempting to set new policy in the SPD, it is suggested to add the following text to the SPD:</p> <p>“It was accepted by the Plan:MK Inspector in his final report, that there is insufficient evidence to properly understand the ability of Build to Rent proposals to provide 31% affordable housing, and therefore viability testing of such proposals at application stage would likely be necessary. He stated that</p>
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			<p>“The plan-wide viability study’s advice on the build-to-rent sector is that it cannot viably deliver affordable housing. However, I am cautious that a residual land value model may well struggle to capture the intricacies of a build-to-rent scheme, particularly given the very few examples in Milton Keynes. In my view a precautionary approach is required and exempting this sector [from Policy HN2] would not be justified.”</p> <p>In line with Policy HN2 but reflecting the issues noted by the Plan:MK and the more recent advice contained in the national planning practice guidance on Build to Rent and viability, it is acknowledged that the circumstances of the Build to Rent model presents challenges in terms of the viability of providing affordable homes within such schemes. Where it can be demonstrated by applicants that it would be unviable to provide 31% of Build to Rent units at 80% of market rates or at Local Housing Allowance rates, the Council will expect applicants as part of their viability evidence to test and demonstrate the viability of alternative levels of provision in the following sequence:</p> <p>3. 25% of units at 80% market</p>
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			4. rate/LHA rate 20% of units at 80% market rate/LHA rate”
		To avoid ambiguity, which could lead to disagreement over the basis of setting (and testing the financial viability) of Social Rents within proposed developments, it is requested that MKC clearly sets out the preferred data source for benchmarking Social Rents. Recommend using the Statistical Data Return published annually by ONS.	No change
		Whilst paragraph 3.5 references that the affordable housing mix percentages are not ‘rigidly applied’ across all sites, it is considered that paragraph 3.5 should be modified to recognise that it will not always be practical to deliver the mix of tenures sought within flatted developments from an operational, management and/or design perspective.	No change The subsequent paragraph to Table 3.1 states that the housing mix shown in the table is a preferred mix, but notes that it is only one of the factors that inform the mix of any particular scheme.
		Paragraph 3.5. It is unclear upon what basis that MKC is making this request on development within CMK to provide family housing, or how it has been evidenced that such schemes could be ‘capable’ of accommodating this request (in design or financial terms). It does not appear that the expectations of this paragraph are representative of Policy HN2 of Plan:MK. It is therefore requested that this reference should either be removed, or if MKC consider the requirements of the paragraph to be justified and necessary for retention, then a subsequent sentence should be added to the paragraph stating the following: “Provision will be subject to assessment of feasibility and viability, as set out within	No change. In line with Policy HN1, all proposals would be expected to provide a mix of house type and/or size. It is appropriate to clarify that proposals in CMK, whilst at a higher density in line with Policy HN1, would still be required to provide a mix of house sizes to achieve mixed and balanced communities

		point D and sub-points 1-3 within Policy HN2 of Plan:MK.”	
		It is unclear if the reference to specialist housing within paragraph 3.5 relates to affordable housing or wider forms of specialist housing. It is requested that MKC provides clarification upon this.	Noted Sentence to be amended to “Proposals located within CMK and larger sites should be capable of accommodating families and specialist housing needs within affordable tenures ”
		Paragraph 3.10 is ambiguous and fails to provide appropriate certainty to applicants in respect of the format of clawback mechanisms. It also infers that the mechanism(s) applied by MKC will differ from the PPG and be inconsistent from one S106 agreement to another. It should be made clear by MKC that it would be acceptable for conversion of APR homes to an alternative provision of affordable housing, as defined within national planning policy, at any point. It is considered that MKC should state, within the AH SPD, that S106 agreements will contain clawback mechanisms that are consistent with the recommended structure set out within PPG (Build to Rent: paragraph 008).	No change The number of Build to Rent schemes in Milton Keynes is not expected to be significant, and it would be disproportionate to set out in detail within the SPD how a clawback arrangement will be structured when the circumstances of the limited number of schemes coming forward could vary widely. A case by case approach is reasonable in this context. The PPG clearly states that is for local authorities to decide how to structure any clawback arrangement
		Paragraph 3.15 of the draft AH SPD on commercial confidentiality should be expanded to incorporate the potential circumstances for exemption from publication referenced in PPGV, and any further circumstances deemed relevant by MKC.	No change. It is not necessary to repeat the guidance within the PPG, and it is not possible to provide an exhaustive list of potential ‘exceptional circumstances’ that may

			justifying retain details on grounds of commercial sensitivity
AH19	Iain Sear	<p>Schemes should require that affordable housing is delivered as part of the associated development. Although the document does make this point several times I would like to be it stressed as a key point and elevated to the head of lists of objectives to support social integration and healthy communities.</p> <p>Affordable larger houses should also be explicitly included, housing for large families is especially important for minority groups and is often ignored as an affordable housing group. Large houses with 4 or 5 bedrooms should be included and be affordable to support ethnic integration.</p>	<p>Policies HN1 and HN2 ensure that onsite provision is the principal means of making provision for affordable housing, and for ensuring a suitable mix of housing comes forward to address affordable needs.</p>
AH20	Olney Town Council	<p>It is suggested that all sites capable of delivering 3 or more residential dwellings should provide planning obligations to mitigate the effects of development and provide affordable homes on-site. Schemes below this threshold should be required to provide a financial contribution towards planning obligations and affordable housing provision elsewhere in the locality</p>	<p>No change</p> <p>Paragraph 63 of the NPPF states that “Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).” Plan:MK does not designate rural areas allowing a lower threshold to be set, and it is not possible to introduce such a policy through the SPD. This could only be achieved through a Neighbourhood Plan or review of Plan:MK.</p>