

Affordable and social housing development programme – Q&As

Motivation – people need homes

What is the motivation behind the push for social housing delivery in Mendip?

It's in response to local demand – and this is inevitably likely to increase due to the impact of COVID. According to Somerset Homefinder, demand for social rented accommodation is up five percent in the past five months. That's expected to rise dramatically as the national furlough scheme and other Government interventions and COVID assistance, falls away.

News report here:

<https://www.theguardian.com/society/2020/nov/14/waiting-list-for-council-homes-in-england-will-double-to-2-million>

Does the project deliver on Mendip's corporate priorities?

Yes. The Corporate Plan, adopted by Full Council in Feb 2020, clearly highlights delivery of good quality affordable and social housing as a priority project. This scheme seeks to meet other corporate objectives such as:

- Making Mendip a fairer place – Page 3. Bullet point 1. in the Corporate Plan says: *"Strengthen the Local Plan and support developers to meet social and affordable housing objectives"*
- Delivering on climate and ecological commitment (in that we concentrate on sustainable locations, reduce reliance on cars, relocate protected species, retain protected trees and some open space/hedgerows, and deliver low carbon, energy efficient homes)
- Promote innovative and quality building design

The Corporate Plan can be found here: <https://www.mendip.gov.uk/corporateplan>

How many houses are proposed in the first phase of the project - and where are they going?

(Subject to member endorsement and planning)

Approximately 160 homes could be created across five sites; two in Frome, one in Glastonbury and two in Street. Other towns will become involved in future delivery phases.

Easthill, Frome – 77 homes, adjoins the cemetery and railway (the land has no public access).

Norbins Road car park, Glastonbury – six social rent homes at an under-used car park, access to St John's School will be retained.

Cemetery Lane, Street - 33 homes, half social rent, half shared ownership on land adjoining the cemetery.

Cranhill Road car park, Street - 29 homes on western side (eastern side which connects to the High St to remain as car park with 107 spaces). Car park currently accommodates 316 spaces, but is underused.

North Parade car park, Frome – modular pilot scheme, 12-17 homes possible. Rear part of car park. We are looking into a highly sustainable, low carbon, energy efficient factory-made modular solution without the need for traditional foundations. This could be appropriate solution for this particular site which is bordered by mature trees. Discussions continue. It's a work in progress.

Why these sites?

They are owned by the council which have been identified for some time as having development potential, and so can form part of our proposal to build new homes. Back in 2018, four of the sites were given government funding (Land Release Fund) to help unlock the potential of the land for housing.

Land Release Fund (LRF) – what’s this?

The LRF is an initiative launched by the government to recognise that much public sector land could not be brought forward for housing provision due to constraints that made building uneconomic. Along with all other Local Authorities MDC was invited to bid for funds which could be used to remove these barriers, and was successful in doing so.

On four of the sites identified in the first phase we have LRF monies attached. This was awarded in 2018 and is in the Council’s bank account. We need to be seen to be utilising that money and generating an end product.

The grant to the Council is £826k. We have spent approximately half of that on due diligence at these sites and the exploration of others resulting in the most financially viable sites being brought forward for consideration.

Why haven’t you spent the LRF monies – are you house building now because you are in a rush?

Whilst the LRF monies were secured in 2018, no specific proposals were progressed at that point. In 2019 there was a change of administration for which affordable and social housing was a clear, emerging priority. The government obviously expects the LRF funds to be used within a reasonable timeframe, and failure to do so could have reputational implications. However this is not the main driver for the Affordable and Social Housing Programme - there is an urgent need for such housing to be delivered in Mendip.

Why didn’t we hear about this until now?

The opportunity to bid for the LRF monies was back in 2017. When the funding was awarded in 2018, there were press releases issued by James Heapey MP and the awards were reported in the local media in February 2018.

<https://www.somersetlive.co.uk/news/somerset-news/nearly-1m-funding-boost-bring-1233147>

The Local Government Association website also carried a national list of designated development sites:

https://www.local.gov.uk/sites/default/files/documents/Copy%20of%20GOV-UK%20Website%20list%20LRF_projects.pdf

<https://www.local.gov.uk/topics/housing-and-planning/one-public-estate/land-release-fund>

Transparency and pre-application consultation

I'm still confused. This is not transparent. Please provide a clear chronology of events leading to Cabinet approving the transfer of 4 sites, subject to planning, to Aster Housing Group.

2015/16

The Council is required to ensure that its property assets are deployed in a way that delivers Best Consideration: that is, the best financial returns, when balanced against important corporate priorities to promote economic, social, or environmental wellbeing.

The Property Team undertook an assessment of the development potential of all Council's landholdings, commissioning a study of its larger strategic sites (please note this study is commercially confidential). This review evaluated the potential of the sites including for residential development.

Autumn 2017

An opportunity arose to apply for LRF monies. Recognising that releasing the potential of a number of Council owned sites would require investment in access and enabling works, an application was submitted. The strategic sites study informed the application.

February 2018

The Council was notified that it had been awarded funding-totalling £826k across four sites. Easthill gets £420k. Awards published in media by Government. Key criterion is that money is required to unlock potential of land for development by addressing specific technical issues on each site (e.g at Easthill, new access from Warminster Road).

March 2018- April 2020

Due diligence was undertaken (legal, valuation, planning & technical) on LRF sites in preparation for submission of detailed planning applications for access only. Work gathered pace following the change of Council in May 2019 and the emerging priority to delivery affordable and social housing. Other sites also considered were Broadway, Frome and Cranhill Road Car Park, Street.

May 2020- June 2020

In order to progress an Affordable and Social Housing Programme, a suitably qualified and experienced consultant was appointed as Programme Lead. A further review looking at the potential of Council owned sites specifically for social and affordable housing was undertaken and a shortlist of 5 sites recommended to be considered for a first tranche of delivery. Criteria for shortlist includes development viability, location, planning, site size, local housing demand, land utilisation/existing use and technical constraints. Outstanding due diligence identified. Soft market testing undertaken with Aster.

July 2020

Cabinet approved mobilisation of the Social Housing Programme and expenditure of £80k to complete due diligence on the first tranche of sites.

September 2020

Aster submitted offers on 4 sites - North Parade, Frome excluded due to investigation as pilot for modular housing scheme. Aster offers assessed using independent valuations for each site. Offers exceeded valuations.

October 2020

Cabinet and members briefed on proposed transfer of 4 sites to Aster and update on North Parade.

November 2020

Cabinet unanimously approved transfer of sites to Aster on a subject to planning basis. Scrutiny call-in on basis of potential lack of public awareness of precise location of each site. Scrutiny ask Cabinet to reconsider its decision.

What is the JLL Strategic Town Site Review?

JLL were commissioned to analyse all of the Council's key town centre sites, to establish whether there were opportunities to consider more valuable uses. The Review was considered by Phoenix Board, and whilst its contents are confidential it is the case that it helped formulate some aspects of the social housing programme.

Why was there no consultation on these sites?

Implementation of a programme of a pre-planning application consultation by Aster on the 2 car park sites and Cemetery Lane has been paused pending the outcome of the upcoming Cabinet meeting.

This would be conducted by a professional 3rd party firm on behalf of Aster and include proposed discussion with the Town Council and an on-line micro-site where residents and others could obtain information about Aster's proposals and be given an opportunity to express their support or concerns about development of the site.

Is there a list of ALL the council-owned sites please? Will there be consultation on these sites too?

A map showing every piece of public land the Council owns is available on our website which complies with the Transparency Code. The Council keeps its land and buildings constantly under review. When there is a planning application we would consult with ward members and the wider public.

www.mendip.gov.uk/article/6941/Local-Authority-Land

Partnerships – making it happen

How will you proceed with house building? The Council doesn't have a development company or the resources or skills to build houses.

We have to find a partner. In this case we have a preferred partner, Aster, who has made an offer on four sites.

How much is the site worth, how much are Aster paying for it?

This information is commercially sensitive so must remain confidential unless Aster choose to reveal it.

Why is Aster the only building company involved?

In essence, the Council does not have to expose its sites to the open market provided independent valuation advice is sought which supports the offers under consideration. Expert legal advice to this effect has been provided to officers working on the Programme.

We are not closing the door on other housing associations as potential partners either. We are talking to a wide range of people and exploring many opportunities that will form the future delivery of this programme.

What can Aster bring to the development?

They own land adjoining some of the sites and so are a natural partner. The original company that we transferred our council stock to back in the early 2000s has grown over time into the company that we now know as Aster meaning that they have a long history of serving residents in Mendip.

Aster are local, very well resourced, and have a lot of experience in delivery. They will deliver 100% affordable housing at four sites. Roughly half will be social rent, the other half will be shared ownership. This is an outcome that no private sector company and very few housing associations could achieve. The delivery of homes for social rent isn't viable in normal circumstances and is made possible only through significant Government grant. Aster has been awarded grants by Government over many years in recognition of their expertise in this field.

So Mendip, working in partnership with Aster, will deliver on 100% affordable housing and a capital receipt for the Council which will ensure we can continue with future phases. That's why we are delighted Aster has engaged with us in such a positive way.

Why can't you delivery *Passivhaus standards on all of the sites in the first phase of this proposal?

We are not going to be able to deliver Passivhaus standards on all of these sites. Passivhaus comes with a cost, and a delay in the delivery. This is because the housing association partners that we need to deliver these homes do not yet have the experience in terms of provision.

We do have a pilot scheme on one of the sites proposed however, and when we learn lessons from that particular site we will be able to take those forward into future phases.

*Passivhaus is a super-insulated structure, with minimal thermal bridges, very low air-leakage, has mechanical ventilation and generates power passively through solar gain.

Will there be further consultation in addition to the usual consultation you get through the planning process?

Yes. We have held briefings for members about the scheme and depending on the outcome of the special Cabinet on 26th Nov, we will roll out how we will consult with residents and towns and parish councils.

Why a 50/50 split between social rent and shared ownership?

Part of that is the need to balance communities. Housing associations like to see a range of housing tenure across their developments. Shared ownership also pays for (or cross-subsidises) the social rent element and enables us to deliver a high proportion of social rent across the first phase of the development (52% out of the 145 to be potentially delivered by Aster). That sort of delivery hasn't been seen in other councils. And we are generating a capital receipt as well to enable further affordable and social development projects.

Can we deliver houses in perpetuity?

It will be difficult to guarantee these houses will remain in social rent in perpetuity. The Government announced in August a new programme for delivery of social housing from 2021 onwards. Any housing that attracts Government grants is going to come with a restriction attached – and that is that the Government wants people in social rent to have the ability to turn that tenure into shared ownership and ultimately to own their own property.

The Council has spoken to Aster who manage 4,200 properties in Mendip. The right to buy has been with us for some time now, and in the past year, Aster inform us that out of their 4,200 homes only one of their tenants has applied to buy their property. This right exists, but the take up is minuscule. Most people struggle to pay the rent, they simply don't have the means to buy their property, even if they wanted to.

Why can't we have more Community Land Trust (CLT) involvement in this first phase?

We have started discussions with Frome Area CLT, and potential land trusts in Wells and Glastonbury and there is every intention of working with them during future phases. It's a learning experience for all involved and the lessons we are taking from ongoing dialogue, particularly around nomination rights and how to protect the properties for local people, we can bring into other parts of the programme.

It's very important we work with Community Land Trusts, however they are run by volunteers and we need to balance that need with the requirement to deliver at scale and at pace.

How does the recent decision by Natural England on increased phosphates on the Somerset Levels and Moors affect these first-phase developments?

Detailed planning applications could be submitted for the 4 sites involving Aster within a relatively short time-frame, subject to member approval and further consultation. However, until appropriate mitigations are agreed by Natural England and the District Councils in Somerset, those applications (with the exception of any in Frome which isn't affected by this issue) can't be determined.

Once a solution is found, and planning approved, our housing developments will be keeping the discharge of harmful phosphates onto delicate local eco-systems to acceptable levels thereby enabling us to deliver on both our fairer **and** greener corporate priorities.

Easthill, Frome

I understood this was Frome Town Council land?

Mendip District Council own the land. The site transferred for nil consideration to the District Council from Frome Town Council in 1974 under local government reorganisation. We can find no record of overage or clawback arrangements in this transfer.

This is common land, used for years by residents as a public green space, and for animal grazing.

The site has in the past been used for horse grazing under a licence arrangement but that use has ceased. A field gate from the cemetery provides access for maintenance purposes. There is no public access to the land.

You cannot develop the site – it's a Site of Special Scientific Interest (SSSI).

It is not an SSSI.

You cannot develop the site – it's designated as 'Local Green Space'.

Easthill does not meet the high criteria required to designate it a Local Green Space which is a relatively new form of open space introduced under Government planning guidance.

You cannot develop the site – it’s an Open Area of Local Significance’ (OALS).

Easthill is designated in the adopted Local Plan under Policy DP2 as OALS which is a lesser designation than LGS. A case will need to be made in any planning proposal to build housing here. Key factors are retention of protected trees and appropriate measures for protected species plus provision of 100% affordable housing. Lack of a 5 year land supply and the site location within the development boundary are also material planning considerations.

Please can you tell me why the Local Green Space designation was removed from the site adjacent to Easthill cemetery and who removed it?

The LGS designation was never given to this land. There was a proposal to include the adjoining cemetery as LGS but it failed at the Local Plan examination.

Can you explain this process please?

All DP2 sites were re-assessed as part of the preparation of Local Plan Pt II, with the intention of replacing the policy with Local Green Space (LGS) designation, as set out in Government planning guidance. This was a process to designate the majority of OALS areas as LGS. LGS are locations with a very high level of protection from built development in recognition of their importance to local communities or specific valued characteristics.

The site assessments were published in a LGS Background Paper. The designations were consulted on as part of the pre-submission plan, representations received and the issue discussed at Inquiry. The Submission Plan includes the Cemetery as LGS, but not the adjoining land.

However the Council’s approach to the review was then rejected by the Local Plan Inspector at examination and will need to be re-thought as part of a new plan review process. He considered Mendip’s approach to be *too protective of open spaces* and therefore frustrating potential development opportunities. This means that any draft designated LGS sites in the Local Plan have had to be withdrawn and the adopted OALS policy remains in place for the time being.

As part of a separate planning process to the Local Plan review, early versions of the Frome Neighbourhood Plan included LGS, but these were removed at Examination, and are simply shown indicatively in the made plan. The cemetery is included, but not the proposed site.

Easthill would flood if you built on it. It's not suitable.

Warminster Road, where it adjoins the southern boundary of the Easthill site, is identified in an Environmental Search as being within Flood Zone 2 i.e. at risk of flooding in an extreme event. A drainage solution would need to be provided to ensure that any development does not increase the risk of flooding at this location. This would be undertaken as part of a planning application and form part of the detailed design for the development.

Why can't we use brownfield sites in Frome?

The costs to purchase new sites would make the programme unviable. The focus is on maximising the potential of our own land. Our social and affordable housing programme is about building homes on parcels of Mendip-owned land.

Alternative sites in Frome would already have been identified by housing associations and mainstream developers. Those sites that are viable to develop will come forward without the Council's intervention. The Council, particularly given its various statutory duties and the impact of Covid 19, is not in a position financially to acquire land on the open market and develop it for affordable housing.

We accept you need to build affordable and social housing for people, but what alternative sites have been looked at in Frome?

The Council does have a role to play in the provision of housing when it has the opportunity to utilise its own land assets and enable their development by working with a development partner such as a housing association. Alternative sites in Council ownership in Frome and elsewhere have been considered and independently assessed for development potential and viability. This has resulted in the land at Easthill being included in the first tranche of sites that are considered suitable for development.

How much Land Release Fund monies is allocated to Easthill?

Four sites awarded funding totalling £826k. Easthill gets £420k. Awards were published in media by Government. Key criterion is that money is required to unlock potential of land for development by addressing specific technical issues on each site e.g at Easthill, new access from Warminster Road.

The Easthill site in Frome and Cemetery Lane, Street, are valued green spaces with ecological value. How will you compensate for the potential removal of these?

We recognise the ecological value of the site and the sensitivities of developing it for housing but there are tried and tested methods of achieving this whilst protecting important wildlife and trees. We have to deal with any protected species that are there in a way that's acceptable to the planning authority, including the County Ecologist. The standards required of the Council and its development partners are the same as any developer coming forward with a proposal for this site.

The site presents a unique opportunity in Mendip to deliver affordable housing in significant numbers but in a way that balances the needs of both local people unable to access decent housing and local ecology. The existing cemetery will remain untouched and continue to provide an important public space for local residents and visitors alike.

Has there been an ecological survey on the Easthill site?

Yes – and on **all** the proposed sites. All have had Preliminary Ecological Appraisal (PEA) reports.

Cabinet approved, on 6 July 2020, completion of due diligence for the first tranche of 5 proposed sites in the Council's Social and Affordable Delivery Programme. This work included reptile and bat surveys at Easthill which had been identified as being required following a preliminary ecology survey undertaken in January 2020. In addition, an arboriculture assessment of the land was updated in August 2020. These reports have been shared with members.

The reports can be used to inform the detailed design for a housing development as part of the suite of documents required to accompany a detailed planning application. In order to obtain planning consent, the developer (i.e. Aster) would need to submit a plan mitigating the impact of development on protected trees and species.

The mitigation plan for protected species would need to be approved by the County Ecologist as a statutory consultee in the planning application process. The existence of protected species and trees is not an impediment to development of this site *per se* but rather a consideration that needs to be addressed prior to the grant of any planning consent.

Can the ecological survey be made public?

The survey will be made public as part of the planning application documents.

Have the trees been assessed?

An updated tree report was completed in Aug 2020.

Since there is a high likelihood that Easthill hosts a population of Dormice can you confirm that a survey of Dormice will take place at the earliest suitable opportunity, presumably when they are sufficiently active in the spring of 2021?

No dormice have been found on site during survey work (a common mouse nest was discovered). The Preliminary Ecological Appraisal (PEA) didn't recommend a dormouse survey, so none has been undertaken.

But Frome needs a nature reserve!

Frome is fortunate to have one in Rodden's Nature Reserve. Its location neighbours the Easthill site.

Is there not potential that the cemeteries will want to expand?

In Street and Frome there is 11 to 14 years capacity at the cemeteries. Beyond that, the Council would need to identify land. However finding land to accommodate the expansion of cemeteries is much less complex than most housing development schemes. Social Housing is needed now; there is time to plan for future cemetery needs which will be identified in the Council's Bereavement Strategy.

Resources

6th July, 2020

MDC Cabinet Item 11 Affordable and Social Housing Delivery Programme [HERE](#)

2nd November, 2020

MDC Cabinet Item 12 Affordable and Social Housing Delivery Programme [HERE](#)

MDC Cabinet 26th November: Agenda can be found [HERE](#)

Press Release: Mendip push ahead with social housing plan after 20-year gap

<https://www.mendip.gov.uk/socialhousingplan>

The Corporate Plan can be found here:

<https://www.mendip.gov.uk/corporateplan>

All enquiries here: developmentprogramme@mendip.gov.uk