

Dover District Council

Draft Affordable Housing Supplementary Planning Document (SPD)

Regulation 12(a) Consultation Statement



March 2026

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1. Introduction

- 1.1 The Draft Affordable Housing Supplementary Planning Document (SPD) provides additional guidance on the implementation of the adopted Local Plan policies, including Policy SP5 – Affordable Housing and H2 – Rural Exception Sites.
- 1.2 This Consultation Statement for the SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, including:
- Regulation 12 (a) - Prior to the adoption of an SPD, a local planning authority must prepare a 'consultation statement', setting out who they consulted when preparing the SPD; a summary of the main issues raised; and how these issues have been addressed in the SPD.
 - Regulation 12 (b) - When seeking representations on SPDs the local planning authority must make copies of the consultation statement and the SPD available for a period of not less than 4 weeks, together with details of the date by which representations must be received (Regulation 13) and the address to which they must be sent.
 - Regulation 35 (1) (a) and (b) – Documents are required to be made available for inspection at the district council's principal office and such other places within the district as the council consider appropriate, during normal office hours, and published on the district council's website.
 - Regulation 35 (3) (a) - The council may cease to make the document available once the 3 months period after the day on which the SPD is adopted has expired.

Statement of Community Involvement

- 1.3 The [Statement of Community Involvement 2025](#) sets out how the council will consult and involve people in the preparation of Local Plans and other planning documents, including SPDs.
- 1.4 The SCI states that the initial stage in preparing an SPD comprises the gathering of evidence and ideas and the consideration of alternative approaches. At this stage, the council will consult with those individuals and bodies who are relevant to the successful implementation of the SPD and may consult more widely if it is considered relevant and appropriate to do so. The method of engagement will depend on the type of SPD, but the Council will consider using correspondence by letter or email, workshops or focus groups, meetings or drop in events.
- 1.5 Consultation on the Draft Affordable Housing SPD has been carried out in line with the Statement of Community Involvement 2025, and targeted stakeholder engagement was carried out.

Data Protection

- 1.6 In undertaking public consultation, the council must act in accordance with the requirements of the general data protection regulations (GDPR). The data collected will be used to produce this SPD. Contact information will be held securely and confidentially and may be used to contact the respondent regarding their comments. The data may also be shared with Kent County Council for the same purposes. The Corporate and Planning Policy Privacy Notices can be viewed via the following link: www.dover.gov.uk/privacy.

2 Initial Stakeholder Engagement

- 2.1 The intention to prepare an SPD for Affordable Housing is set out in the [Local Development Scheme 2025](#).
- 2.2 During the initial preparation stage, the district council undertook two aspects of initial stakeholder engagement. Firstly, with internal DDC staff in the planning and housing teams. This was held between 15 May 2025 and 20 June 2026. These workshops raised the following issues for further consideration:
- Whether changes in the 2024 NPPF in relation to tenures and First Homes minimum requirements require some flexibility in applying Policy SP5
 - Whether the off-site contribution calculator was delivering appropriate funds for the housing team to provide affordable units elsewhere in the district
 - Whether the SPD could set out requirements to encourage early engagement on affordable housing issues and add clarity to local plan and national requirements.
 - Whether the SPD could add include information on rounding of 30% and M4(3) units
 - Whether the SPD could include cascade mechanism or standard S106 wording
- 2.3 Secondly with invited external stakeholders that included local developers and Registered Providers of Affordable Housing. A full list of invited participants can be found at Appendix 4. This was held between 3 December 2025 and 12 January 2026.
- 2.4 This was to inform the proposed scope, structure and content of the SPD. A brief engagement document was prepared, setting out relevant local planning (Appendix 1), alongside Frequently Asked Questions (Appendix 2). The engagement document was accompanied by an online questionnaire (Appendix 3).

2.4 Six responses were received. Appendix 5 includes the full comments from each respondent. Summaries of the main issues identified and how these have been addressed and informed the content of the SPD are set out in Table 1 below.

Table 1 – Stakeholder comments and how these have been taken into account in the Draft SPD

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
1. Tenure Mix		
1a – Should the SPD set out flexibility in the requirement for First Homes following the NPPF amendment?	Strong support with 5 of 6 responses answering ‘yes’	Guidance Note 2 in the draft SPD adds flexibility to tenure mix of SP5 taking into account the 2024 NPPF and allows for the quoted tenure mix options at 1c to be provided without the need for a viability appraisal to be submitted, only in circumstances where 30% is being provided on-site.
1b – Should the SPD set out different tenure mix options that would be supported without the need for a viability appraisal?	All responses stated ‘yes’	
1c: Do you agree that the following tenure mix options should be supported without the need for a viability appraisal? <ul style="list-style-type: none"> • 55% Affordable/social rent and 45% SO • 55% Affordable/social rent, 25% SO and 20% other HOP 	All responses stated ‘yes’	
Q1d & 1e: Are there other tenure mix options that should be supported without the need for a viability appraisal?	Five respondents suggested <i>greater flexibility</i> in tenure mixes to improve deliverability. 1. It should include Discount Market Sales <ul style="list-style-type: none"> • A split of 55% Affordable/Social Rent and 45% other home-ownership products 	The policy and tenure mix options allow for DMS to be provided under ‘other home ownership products’. In cases where applicants wish for DMS to form a higher percentage

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	<p>(including Discounted Market Sale) was suggested.</p> <ul style="list-style-type: none"> • First Homes are a type of DMS, substituting them with other DMS products would be effectively equivalent • In some circumstances, 100% Discount Market Sale should be allowed on small sites where no RP is willing to take units, <p>2. Allow Variations When Supported by an RP</p> <ul style="list-style-type: none"> • If a Registered Provider (RP) and the Housing Manager agree, small changes to the mix (e.g., 60/40 or 50/50) should be permitted without requiring a full viability review—especially where this would help unlock delivery. <p>3. Circumstances Allowing High Home Ownership Proportions</p> <ul style="list-style-type: none"> • 100% Shared Ownership (or similar products) where it helps maintain scheme viability. • 75% Shared Ownership / 25% Affordable or Social Rent to help marginal schemes proceed. • 60% Shared Ownership / 40% Affordable or Social Rent as a balanced option where viability is sensitive. <p>4. Flexibility on First Homes</p>	<p>of units than this or any cases where less than 55% rent is proposed, guidance note 2 includes some additional flexibility to tenures where 30% is being met on-site (any tenure mix considered) on a case-by-case basis whether a viability appraisal or other evidence is required, taking into account the views of the housing department in relation to how the proposed mix meets local needs. However, the applicant will need to demonstrate that it has sought to maximise the provision of affordable/social rent and shared ownership tenures. This flexibility allows for 0% First Homes and DMS, if evidenced and agreed. In addition, Guidance Note 4 addresses sites where practicality issues may be causing non-delivery and in this scenario,</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
	<ul style="list-style-type: none"> • 0% First Homes should be acceptable 	Discount Market Sales homes will also be considered.
Q1f: Please provide any other comments relating to the tenure mix requirements of Policy SP5.	<p>Respondents emphasised the importance of flexibility in tenure mix within the SPD, particularly reflecting the practical needs of Registered Providers (RPs) and the viability challenges of local schemes. These are responded to above.</p> <p>Engage directly with Registered Providers during the SPD's preparation to understand their preferred tenure mixes and delivery requirements.</p>	Direct engagement with the RPs operating in the district was undertaken, although no responses received and is planned again as part of the formal consultation period.
2. Mix of unit types and sizes		
2a & 2b Should the SPD set out guidance on the relationship between Policies H1 and SP5, and how the housing mix should be informed by local affordable housing need in the early stages of a schemes design? Add	<p>Five respondents supported providing guidance on affordable housing mix, with several key themes:</p> <ul style="list-style-type: none"> • Respondents suggested including regularly updated information, such as links to updated SHMAs, to reflect differences in housing needs across local areas. • The guidance should set expectations that mixes should meet affordable housing need, while also acknowledging changing market conditions (e.g., interest rates, incentives, stamp duty). Because market dynamics shift faster than policy evidence bases, the mix should be treated as a target or guide, not a rigid requirement. 	In response to matters raised, Guidance Note 3 in the draft SPD advises on housing size, layout and design of affordable units. As suggested it includes links to the evidence documents in relation to bedroom sizes required from the SHMA and references housing needs surveys. It makes clear that context location and market demand will also be taken into account, as requested. It takes forward the approach recommended to liaise with

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	<ul style="list-style-type: none"> • Early dialogue between applicants, the housing team and RPs was strongly encouraged • Respondents stressed avoiding a “one size fits all” approach. Housing mix should reflect: <ul style="list-style-type: none"> ○ the scheme’s context, ○ the type of site (village, suburban, urban), ○ the overall unit mix of the development. Monitoring delivery across the plan period is better than imposing strict site-by-site rules. <p>‘No’ Response</p> <ul style="list-style-type: none"> • The SPD should stick to Policy SP5 and avoid repeating or expanding on housing mix matters already covered by Policy H1, which has been examined and found sound. • RPs’ views on tenure mix and layout should carry significant weight, especially where these differ from planners’ more idealistic preferences. 	<p>housing dept early in planning process on these matters, as they can assist with delivery.</p> <p>Although not supported by all respondents, the note does re-iterate policies in the Local Plan such as H1 and PM2 in relation to ensuring space standards and building regulations are achieved and clarifies that M4(3) requirements will be rounded to nearest whole number to add clarity.</p> <p>In response to the comment about RP views, the note adds some flexibility in terms of tenure blind developments, allowing for clustering of units such as flats, where this aids management.</p>

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3. Viability Issues		
Q3a: Should VA include requirements to compare and contrast assessment against LP viability report	5 responses agreed with this approach	Guidance Note 5 in the draft SPD sets out requirements for what Viability Appraisals should include. All those listed in the options were taken forward in the note. Links have been provided to the Local Plan viability evidence and the note links back to note 2 in relation to flexibility of tenure mix to assist with compliance with part d of SP5.
Q3b: Should VA include requirement to demonstrate different tenure mixes have been tested – is 30% on-site is viable?	5 responses agreed with this approach	
Q3c: Should VA include requirements to present tenure mix assessment to show range tested and which mix provides highest % on-site – and liaise with housing dept about mix and need	All 6 responses agreed with this approach	
Q3d: Should VA include requirements that applicants should identify the policy compliant off-site financial contribution calculations	5 responses agreed with this approach	
Q3e: Should VA include the requirements that applicants should show that part d of Policy SP5 has been tested and a combination of options explored	4 responses agreed with this approach	

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<p>Q3f Please provide any other comments in relation to the consideration of viability and affordable housing delivery?</p>	<p>Respondents emphasised:</p> <ul style="list-style-type: none"> • the need for pragmatism, clarity and avoidance of unnecessary complexity. • Avoid part-on-site / part-contribution • Viability should be tested case-by-case • considering a joint viability assessment rather than separate developer and council consultants, to reduce disputes; • or using a third-party assessor where disagreement arises. • Greater clarity in the SPD on resolving disputes would be welcome. • Avoid adding more layers to viability discussions • Viability challenges are not always “on paper” <ul style="list-style-type: none"> ◦ Sometimes RPs cannot bid at the values assumed in viability evidence due to their own business models, needs etc ◦ can also be heavily influenced by statutory consultees’ requirements (e.g. education, highways) • Disagreement with the idea that viability should always consider the whole development- the overall scheme may be viable, but the affordable housing element alone is not 	<p>Guidance Note 5 includes 3 options and guidance for who can prepare an appraisal and this includes a joint LPA/developer approach.</p> <p>Clarity is included in relation to dispute resolution, in that the LPA as decision maker will determine disputes.</p> <p>Flexibility added for sites of 10 or less to consider a,b,c of SP5</p> <p>Feedback in relation to other statutory obligations has been considered and the guidance note includes a reference to reducing other contributions where a viability case is marginal.</p> <p>The council does not agree that Viability Appraisals should only consider the AH element of the site. AH is an obligation on the whole site, tested at 30% in the LP</p> <p>Viability work and viability can only be considered in that context.</p>

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4. Practicality Reasons		
Q4a: Should the SPD identify practicality exceptions to providing affordable housing on site?	5 responses agreed with this approach	Guidance Note 4 in the SPD addresses practicality exceptions.
Q4b: If you answered 'Yes' to question 4a, please specify what practicality exceptions these should be.	<p>Key Points:</p> <ul style="list-style-type: none"> • Where a developer can demonstrate that no RP is willing to take the units, the SPD should allow a default to Discount Market Sale (DMS). • Need for clearly defined “practicality exceptions”. These should include <ul style="list-style-type: none"> ◦ Small unit numbers / small sites on-site provision causes disproportionate management or delivery issues. ◦ Constrained or complex sites where layout make on-site delivery impractical. ◦ Heritage or technical constraints ◦ Lack of RP interest or appetite, ◦ Phased or complex regeneration areas • Alignment with emerging NPPF approach: For medium schemes (e.g. up to 50 units) there must be a mechanism for off-site contributions 	<p>Guidance Note 4 addresses reasons for practicality constraints, including those highlighted. However, the councils housing team have confirmed they are offering on most sites, even smaller schemes, and other guidance notes in the SPD offer flexibility and guidance in terms of tenure and design, therefore many practicality reasons in relation to RPs not taking sites can be resolved.</p> <p>The guidance note therefore requires early engagement on the issues and in circumstances where it is not resolved, will consider off-site contributions or other solutions such as the suggested DMS.</p>

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		<p>The draft SPD does not factor in the 'medium' category referenced in the 2025 NPPF consultation as this was not in the draft NPPF text and the council raised concerns with this proposed approach in response to the consultation, particularly in terms of how this affects sites smaller than 10 units captured by SP5 in Designated rural areas.</p>
<p>Q4c: Please provide any views you have on the minimum number of 10 Registered Providers (including the council's housing team) being suggested.</p>	<p>Respondents supported requiring engagement with RPs but felt minimum of 10 RPs (including the Council's housing team) is excessive and impractical</p> <p>Several argued that the Council's housing team should not be included due to limited resources. Respondents questioned whether 10 active RPs operate in Dover and should be flexibility, with the Housing Manager able to agree a lower number</p> <p>Some developers indicated they are not opposed to contacting 10 RPs, but only if the Council provides a clear list of required RPs and contact details.</p>	<p>Guidance Note 4 was amended to reflect this feedback and reduced to requiring evidence from 5 RPs (including the council) from 10 to reflect that the councils housing team are offering in most circumstances and the amount of RPs operating in the district.</p> <p>It was determined not necessary to list those RPs due to the reduced number.</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
<p>Q4d: Please provide any comments you have on whether off-site commuted sums or on-site low-cost home ownership products should be required where practicality issues are accepted.</p>	<ul style="list-style-type: none"> • Several respondents stressing that Discount Market Sale (DMS) should be considered before defaulting to off-site contributions • Where practicality constraints prevent on-site delivery, the SPD should clearly endorse off-site commuted sums—especially for SMEs and smaller or constrained sites. • A transparent approach to off-site contributions is needed. • Both options—on-site low-cost home ownership products and off-site contributions should remain acceptable. 	<p>This feedback was considered and factored into draft Guidance Note 4 which states that if evidenced, the council may agree either an off-site contribution or other tenure such as DMS as a more practical approach.</p>
5. Meeting the 30% of SP5		
<p>Q5a: Please state your preferred option (1-3). 1 – Unit numbers always rounded up 2 Accept financial contributions for part payments where it is less than 0.5 of a unit 3 Accept financial contributions for all part units (up to 0.9)</p> <p>Q5b: Please state option preferred in question 5a and explain choice.</p>	<p>Respondents were split across the three options, with Options 1 and 3 each receiving two preferences and Option 2 receiving one.</p> <ul style="list-style-type: none"> • Rounding up could force unrealistic or “contrived” schemes, • Part financial contributions seen as overcomplicated • Several respondents favoured rounding below 0.5 down and 0.5 or above up 	<p>Note 1 in the draft SPD sets out a requirement for rounding up when 0.5 of a unit or more and no requirement for those under 0.5 of a unit. This is considered a fair and reasonable balance and responds to concerns raised by stakeholders about overcomplication of requiring off-site payments for part units and disproportionate effects on SMEs rounding up in all cases.</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
Q5c: Please provide any other suggestions for how the delivery of part unit requirements could be addressed.	<ul style="list-style-type: none"> ○ Rounding down where the affordable housing requirement is 0.4 units or less aligns with practices in other Kent LPAs and provides certainty for applicants. 	
6. When should Affordable Housing Details be agreed?		
<p>Q6a: Should the SPD require that in most cases the detail of Affordable Housing unit location, mix, and tenure to be agreed with council at pre-application stage or at latest application stage – prior to decision.</p> <p>6b – Explain why not</p>	<p>All five respondents answered ‘no’ to requiring affordable housing details to be agreed at pre-application or outline stage:</p> <ul style="list-style-type: none"> • Information is not available that early At pre-app or outline stage, developers and land promoters typically do not yet know which Registered Provider (RP)—if any—will be willing to take units. <ul style="list-style-type: none"> ○ Landowners often secure outline permission <i>before</i> selling the site to a developer/RP. ○ RP bids are usually only possible once Reserved Matters details (layout, design, unit types) are known. • Fixing too much detail early can depress land values and inhibit delivery. • Early RP offers are not reliable Any informal RP expressions of interest at the application stage often expire before planning 	<p>Guidance Note 6 in the draft SPD has taken into account the feedback received. It encourages pre-app discussions but only requires full details of the AH mix. Sizes etc on full and reserved matters applications.</p> <p>For outline applications, where the information is not available at that level of detail, they will only be required to submit a statement outlining how AH is expected to be met.</p> <p>In accordance with note 2 – it also allows for flexibility of tenure mix in legal agreement, to limit post decision amendments.</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
	<p>permission is granted, Therefore, requiring firm commitments too early is unrealistic.</p> <ul style="list-style-type: none"> • Respondents felt the SPD should focus on clear guidance and flexible S106 drafting that can accommodate: <ul style="list-style-type: none"> ○ Discount Market Sale (DMS) ○ viability-led approaches ○ or RP involvement once a scheme is more advanced. • Fixing affordable housing arrangements at pre-app or application stage could: <ul style="list-style-type: none"> ○ force redesigns as the scheme evolves; ○ add cost and negotiation time; ○ delay the submission or determination of applications. • Outline schemes cannot secure RP bids as RPs require: <ul style="list-style-type: none"> ○ a detailed design, ○ an approved or near-approved layout, ○ and clarity on technical costs before making a meaningful offer. 	<p>It was decided not to include additional details in relation to S106 wording due to the government's intention to produce standard S106 clauses in the future.</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
Cascade Mechanism		
<p>Q6c: Should the SPD include guidance and provision for including a ‘Cascade Mechanism’ in decisions and S106 agreements? 6d - Explain</p>	<p>All six respondents supported the inclusion of a cascade mechanism.</p> <ul style="list-style-type: none"> • A well-designed cascade can: <ul style="list-style-type: none"> ◦ reduce expensive and time-consuming legal negotiations, ◦ enable officers to make evidence-based decisions, and ◦ avoid stalling schemes due to rigid requirements. • Several respondents warned that cascades can become overly onerous if drafted badly. If the process forces developers to “prove” undeliverability over several months, it risks: <ul style="list-style-type: none"> ◦ delaying start on site, ◦ adding finance and programme risks, ◦ potentially deterring development altogether. <p>Respondents said cascades should:</p> <ul style="list-style-type: none"> ◦ be realistic and streamlined, ◦ not replicate the same burdens they are meant to avoid, ◦ and prioritise practical deliverability. <ul style="list-style-type: none"> • Model welcomed particularly when no RP is secured early – adds certainty 	<p>Comments supporting a cascade mechanism in all S106 agreements were noted.</p> <p>The draft SPD did not take forward this approach for several reasons. Firstly, the government have indicated that they do not expect LPAs to adopt cascades unless they work for local circumstances and they are considering publishing standard S106 templates. See Policy statement: a roadmap for Section 106 delivery in England - GOV.UK (Jan 2026)</p> <p>Secondly the SPD adds some of the flexibility through different routes to a full cascade. This includes in Note 2, which allows for flexibility of tenure mix and for S106 agreements to include this flexibility so mix does not need to be re-visited post decision where details change but remain in</p>

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<p>Q6e: Please provide any comments you have on the specific proposals for the cascade mechanism.</p>	<ul style="list-style-type: none"> • Discount Market Sale (DMS) should appear early in the cascade • The cascade should be simple and time-limited, with: <ul style="list-style-type: none"> ◦ Clear stages and defined timeframes (e.g., 4–8 weeks per stage); ◦ Clear evidence requirements (emails); ◦ No open-ended marketing periods. • RP engagement should be targeted, involving a small number of relevant RPs • Built-in tenure flexibility is important, without re-opening viability assessments. • A transparent commuted-sum “backstop” is essential • Over-complex triggers must be avoided, no repeated approvals or sign-offs • One respondent highlighted Swale Borough Council cascade -changes to tenure mix: <ul style="list-style-type: none"> ◦ require evidence demonstrating the agreed mix cannot be delivered; ◦ must be approved by the Council; ◦ cannot introduce new tenure types not already listed in the S106. • Any variation to tenures <i>outside</i> those already listed in the S106 would require a Deed of Variation, maintaining proper legal control. 	<p>accordance with the SPD, and in Note 4 which allows for off-site contributions or alternative tenures such as DMS, where practicality issues to on-site delivery have been evidenced. This resolves many of the suggestions or issues raised during consultation on this topic.</p> <p>In addition, not including a full cascade mechanism reduces the concerns about clearly defined timescales / marketing periods and complex triggers and sign off processes.</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
7. Calculating off-site contributions		
<p>Q7a: Which financial contribution calculation option do you consider most appropriate/practical?</p> <p>1a – 5% of Gross Development Value (GDV) (Current SPD approach)</p> <p>1b – Increased % of Gross Development Value (GDV)</p> <p>2 -Based on grant funding/subsidy and OMV/GDV (current practice)</p> <p>3 -Based on Gross Internal Area (GIA)</p> <p>Other -?</p>	<p>Three supporting Option 1a, one supporting Option 1b, and one supporting Options 2 and 3.</p> <p>Option 1a preferred for clarity and simplicity:</p> <ul style="list-style-type: none"> ○ easy to understand and apply ○ transparent for developers and landowners ○ based on an established method ○ predictable for viability appraisals <p>The Council must provide evidence whether the 5% figure is effective, including how much has been collected and whether the issue is the percentage or simply the low number of qualifying sites.</p> <p>Concerns about Option 1b:</p> <ul style="list-style-type: none"> ○ uncertainty around how a revised percentage would be justified ○ need for careful scenario testing ○ requirement to correctly account for differences in specification, funding, and sales/marketing costs between market and affordable units 	<p>Based on consultation responses, assessments of recent local developments and viability appraisals and the Local Plan viability evidence, the council will remain using the current calculator approach using a % of GDV. Based on the evidence collated, this will be option 1b.</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
	<ul style="list-style-type: none"> • 1a & 1b - GDV-based approaches have limitations <ul style="list-style-type: none"> ○ While simple, GDV does not reflect actual development costs (e.g., contamination, abnormal foundations, S106 obligations). ○ GDV is a “blunt tool” but a fixed, simple, transparent method is still preferable to overly complex alternatives. • Significant concern about Options 2 and 3 introducing complexity <ul style="list-style-type: none"> ○ Option 2 was not well understood and was seen as overly complicated, particularly if it implies buying back private units with grant funding. ○ Option 3 could in principle offer certainty, but would require robust scenario testing and clear worked examples to avoid unintended consequences. ○ Some worried Option 3 could incentivise contrived unit designs (e.g., oversized garages or voids) to manipulate floor area calculations. 	

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
8. Deferred Contributions		
<p>Q8a: Which form of re-appraisal do you consider most appropriate?</p>	<ul style="list-style-type: none"> • Monitoring sales values was suggested, but not as a standalone measure. • Full viability re-appraisal was supported by some respondents as a way to reassess affordability where circumstances change. • Updating an existing viability appraisal was considered straightforward, but respondents stressed that sales values alone do not give an accurate picture, especially when build costs are rising faster than sales values. • Re-appraisal should be limited in scope: Several respondents argued that profit margins and professional fees should not be revisited, as re-opening these areas would create uncertainty and risk for developers. • Support for a capped overage-style review mechanism, based on: <ul style="list-style-type: none"> ○ actual outcomes, ○ clear benchmarks, and ○ defined triggers. • This was seen as a proportionate way to balance developer certainty with capturing additional value where appropriate. 	<p>Guidance note 10 in the draft SPD sets out the council’s approach. The council does consider sales values alone to be an accurate measure of change to viability, rather than a complex re-assessment or new viability appraisal. It is common practice that Sales Values are used, and other cost changes are not accepted as part of the re-assessment.</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
<p>Q8b: For monitoring of sales values, do you have any suggestions on the % of uplift that should form the financial contribution?</p>	<p>Some respondents stated sales values should not be used at all; if they are, any uplift trigger should be capped at no more than 50%.</p> <ul style="list-style-type: none"> • One respondent suggested a specific trigger (e.g., a 30% rise in sales values leading to a 5% contribution) • They also recommended that the SPD should clearly set expected profit assumptions, suggesting 20% for smaller sites. • If a sales-value uplift mechanism is used, it must be modest and capped • Some respondents proposed allowing the Council to capture up to 25% of the uplift above a benchmark, using a simple, transparent formula. • Developers take on market and delivery risk, so uplift-sharing must be proportionate. Over-capturing uplift could: <ul style="list-style-type: none"> ○ discourage investment, ○ reduce incentives to optimise scheme quality, and ○ ultimately undermine housing and affordable delivery. 	<p>Guidance note 10 sets out the councils approach to the mechanism for deferred contributions.</p> <p>Although the comments on uplift value were considered these were considered not to be realistic. The PPG on viability</p> <p>The council has proposed a common standard approach at 10% or higher of original sales values, and a split of 60% uplift to the LPA and 40% to developer.</p> <p>The draft note exempts minor development from the process, as it would be unlikely that sales values on small sites of this size would increase to an amount that would generate any meaningful contribution.</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
<p>Q8c: Please provide comments on the timing and stages of the re-appraisal.</p>	<ul style="list-style-type: none"> • Land Registry data is only available around three months after sale, making it a poor basis for timely review. • Sales incentives and discounts are not always reflected, making data unreliable. • Some suggested a review within six months of 95% completion • A re-appraisal can only be accurate once all units are sold, • If the final unit is slow to sell, interest costs may significantly harm viability. • Several respondents argued that if a developer builds and sells quickly, the agreed viability position should remain fixed to provide certainty. A waiver should apply where development is implemented or first occupied within an agreed time period. • Timing should be negotiable, not fixed - Respondents emphasised that review stages should be agreed case-by-case through S106 negotiations, as different site sizes and development forms require different review points. 	<p>The mixed responses to this question have led to the guidance note setting out a requirement that sales values will be required to be submitted within 3 months of completion of the last property that has been built/sold. This is either on the whole site, or if a large scheme being delivered in phases, at the end of each phase. This will be agreed on a case by case basis.</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
<p>Q8d: Are there any exceptions to requiring re-appraisal for deferred contributions? Please specify</p>	<ul style="list-style-type: none"> • No re-appraisal where no uplift is realistically possible -If there is no plausible prospect of an increased commuted sum, a re-appraisal would only generate unnecessary cost. • Build cost inflation outpacing sales values Where evidence shows build costs have risen faster than sales values, a re-appraisal would be inappropriate • Re-appraisal should be waived where requirements would be disproportionate or hinder delivery, including: <ul style="list-style-type: none"> ○ Small schemes / SME-led ○ Schemes delivered quickly, e.g. development implemented or first occupation achieved within an agreed timeframe ○ High-abnormal-cost, brownfield, or regeneration sites with significant risk ○ Cases where a fixed deferred sum or capped overage mechanism has already been agreed ○ Schemes with a build programme under 24 months, where market conditions are unlikely to materially change within that period 	<p>To take into account comments received, the guidance note sets out that minor development sites will be exempt from the deferred contributions mechanism completely and in cases where the site is full completed within 2 years of consent, the review mechanism will not be requested to be completed, as it is unlikely in both scenarios that sales values would have increased significantly to show the scheme has become viable.</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
9. Other information in the SPD		
<p>Q9a: Please provide any comments you have on the matters a) to m) proposed to be included in the SPD.</p>	<p>Respondents were broadly supportive of most of the proposed SPD items (a–m), recognising their potential to improve clarity, consistency and decision-making, but emphasised that the SPD must remain practical, proportionate, and avoid adding unnecessary administrative burden or “policy creep.”</p> <p>Feedback on Specific Items:</p> <ul style="list-style-type: none"> • a) Flow chart – Strongly supported; must be simple and easy to follow. • b) Designated Rural Areas – Helpful for certainty; welcomed by multiple respondents. • c) Subdivision of large sites – Understood in principle but must be applied pragmatically. Requires a clear definition of “large site” and should not hinder delivery, especially where land parcels come forward separately. • d) Space standards / M4(3) rounding – Clarity welcomed but requirements must be proportionate. • e) Affordable housing schedules at application stage – Potentially burdensome and could delay submissions; flexibility should remain where tenure cannot sensibly be fixed early. 	<p>a) Flow Chart has been included DRAs have been clarified</p> <p>b) Designated Rural Areas clarified</p> <p>c) Subdivision of sites is clarified in terms of splitting them where they would generate AH as a whole site</p> <p>d) SPD confirms M4(3) units will be rounded to nearest whole number</p> <p>e) This is addressed in guidance note 6 and 2 with regards to tenure flexibility</p> <p>f) Issue of clustering Vs tenure blind pepper potting has been addressed in note 3</p> <p>g) This is addressed in notes 7 & 8</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
	<ul style="list-style-type: none"> • f) Tenure-blind design – Supported in principle, with room for pragmatic exceptions linked to management and deliverability. respondents noted that most RPs prefer clusters of affordable units, not dispersed pepper-potting, for effective long-term management. • g) Special cases (self-build, older persons, VBC etc.) – Helpful, provided they don't add complexity or conflict with SP5. • h) Standard S106 clauses – Strong support; would streamline drafting. • i) In-perpetuity / DPA waivers – Clarity welcomed. • j) How commuted sums are spent – Strongly supported for transparency and confidence in the system. • k) Rural Local Housing Needs (H2) – Helpful but needs realism; some parishes lack resources to undertake assessments. • l) Submission requirements - Supported only if proportionate and not overly prescriptive. • m) Interpreting Local Plan viability evidence - Helpful, but should not introduce exhaustive comparisons for every scheme. 	<p>h) S106 not taken forward at the government is proposing to set out standard clauses</p> <p>i) Guidance note 11 explains and addresses DPA waivers and in perpetuity requirements for Shared Ownership in designated areas.</p> <p>j) SPD links to IFs and housing strategy</p> <p>k) Guidance in note 12 links to how assessments of local housing needs can be undertaken by parishes and implementation of Policy H2</p> <p>l) This is included in Guidance note 6</p> <p>m) this is included in viability appraisals section</p>

Question	Summary of Responses	How have the council addressed responses in the draft SPD?
<p>Q9b: Are there any other topic areas the SPD needs to cover? Q9c: If you answered 'Yes' to question 9b then please provide details.</p>	<ul style="list-style-type: none"> • Engage Registered Providers (RPs) more directly Respondents stressed that RPs are the primary deliverers of affordable housing and significantly influence tenure choices. • Proportionality and SME impacts <ul style="list-style-type: none"> ○ impacts on SME developers, ○ unintended threshold effects. For example, a 9-unit scheme has no onsite requirement, whereas 10 units can trigger contributions that undermine viability. • Broader context: acute affordable housing need The housing crisis—particularly acute in the South East—means supply is far below need, and there is no simple solution. • Respondents highlighted a growing problem: many RPs are unwilling or unable to take on small numbers of affordable homes, especially in remote or rural locations. • Flexibility is vital. Flexibility on tenure, delivery mechanisms, and integration of Discount Market Sale products was seen as essential 	<p>Registered Providers have been consulted and will be consulted again on the draft SPD.</p> <p>There have been several additions to the SPD notes that remove specific requirements for minor development sites. Guidance notes on tenure mix and practicality issues are included. Thresholds of policy cannot be amended through SPD.</p> <p>National housing delivery issues are highlighted in SPD with several notes to address issues.</p> <p>A number of guidance notes add flexibility and solutions to delivery, including tenure mix changes, and discount market sales being acceptable.</p>

3. Conclusion

3.1 In response to the focussed stakeholder engagement undertaken during preparation stages of the SPD, the council revised the scope and content of the draft SPD and made several revisions and refinements. The changes were made to ensure the SPD would be effective in addressing the issues raised by stakeholders and to ensure the document was useable and informative and presented in a clear and concise manner.

3.2 The SPD and this consultation statement will be updated following the 4-week public engagement stage planned for April 2026, before progressing to adoption.

Appendices

Appendix 1 – Stakeholder Engagement Questionnaire

Stakeholder Engagement Draft Affordable Housing Supplementary Planning Document (SPD)

Stakeholder Engagement on the Draft Affordable Housing Supplementary Planning Document (SPD)

Please read the engagement document and FAQs before completing the questionnaire (attached to email). Responses should be made using the online form by midnight on Monday 12th January 2026.

* Required

1. TENURE MIX

Q1a: Should the SPD set out flexibility in the requirement for First Homes tenure following the NPPF amendment?

- Yes
 No

Q1b: Should the SPD set out different tenure mix options that would be supported without the need for a viability appraisal?

- Yes
 No

Q1c: Do you agree that the following tenure mix options should be supported without the need for a viability appraisal?

- 55% Affordable/social rent and 45% Shared Ownership
- 55% Affordable/social rent, 25% Shared Ownership and 20% other home ownership product

- Yes
 No

Q1d: Are there other tenure mix options that should be supported without the need for a viability appraisal?

- Yes, please specify in Q1e
 No

Q1e: If you answered 'Yes' to above question, please specify and set out the justification for any suggestions.

Q1f: Please provide any other comments relating to the tenure mix requirements of Policy SP5.

2. MIX OF UNIT TYPES AND SIZES

Q2a: Should the SPD set out guidance on the relationship between Policies H1 and SP5, and how the housing mix should be informed by local affordable housing need in the early stages of a schemes design?

- Yes
 No

Q2b: Please provide your comments about this

3. VIABILITY ISSUES

Q3a: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 1? Applicants will be required to provide a compare and contrast assessment against the Local Plan Viability Report to show where the information has changed. This must be for all and not just individual assumptions.

- Yes
 No

Q3b: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 2? Applicants should demonstrate different tenure mixes have been tested to explore if a tenure change would make 30% on-site viable.

- Yes
 No

Q3c: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 3? Applicants should present their tenure mix assessments in the appraisal to show a range has been tested and to highlight what tenure mix would provide the highest percentage of on-site affordable homes (to show if any options are close to 30%). Liaison would be needed with Council housing department to ensure that the tenure mix being tested will meet a local need, even if not fully policy compliant

- Yes
 No

Q3d: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 4? Applicants should identify the policy compliant off-site financial contribution calculations based on the approach set out in the SPD.

- Yes
 No

Q3e: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 5? Applicants should show that part d of Policy SP5 has been tested and a combination of options a,b,c has been explored – i.e. part payments and part on-site delivery (for example, home ownership products on site, and rental as off-site contribution)

- Yes
 No

Q3f: Please provide any other comments in relation to the consideration of viability and affordable housing delivery?

4. PRACTICALITY REASONS

Q4a: Should the SPD identify practicality exceptions to providing affordable housing on site?

- Yes
- No

Q4b: If you answered 'Yes' to question 4a, please specify what practicality exceptions these should be.

Q4c: Please provide any views you have on the minimum number of 10 Registered Providers (including the council's housing team) being suggested.

Q4d: Please provide any comments you have on whether off-site commuted sums or on-site low-cost home ownership products should be required where practicality issues are accepted.

5. MEETING THE 30% of SP5

Q5a: Please state your preferred option (1-3).

- Option 1 - That to meet the policy requirements of 30% it is expected that the numbers on site will always be rounded up to the nearest whole unit
- Option 2 - Accept financial contributions to cover part units, where it is less than 0.5 of the unit. This would only apply where the resulting 30% is less than 0.5 of a unit. Those 0.5 or above, would still need to provide the rounded up whole unit amount
- Option 3 - Accept financial contributions to cover part units of all sizes (0.1 to 0.9 of a unit)

Q5b: Please state option preferred in question 5a and explain choice.

Q5c: Please provide any other suggestions for how the delivery of part unit requirements could be addressed.

6. WHEN SHOULD AFFORDABLE HOUSING DETAILS BE AGREED?

Q6a: Should the SPD require that in most cases (this would not include certain types of application such as Outline or Permission in Principle) the detail of Affordable Housing unit location, mix and tenure should be agreed with the council at pre-application stage to be submitted with the application, or at the latest application stage prior to decision?

- Yes
- No

Q6b: If you answered 'No' to question 6a, please explain why not.

Q6c: Should the SPD include guidance and provision for including a 'Cascade Mechanism' in decisions and S106 agreements?

- Yes
- No

Q6d: If you answered 'Yes' to question 6c, please explain.

Q6e: Please provide any comments you have on the specific proposals for the cascade mechanism.

7. CALCULATION OFF-SITE CONTRIBUTIONS

Q7a: Which financial contribution calculation option do you consider most appropriate/practical?

- Option 1a
- Option 1b
- Option 2
- Option 3
- Other

Q7b: Please set out any comments you have to explain your answer to Q7a.

8. DEFERRED CONTRIBUTIONS

Q8a: Which form of re-appraisal do you consider most appropriate?

- a full viability re-appraisal?
- monitoring of the sales vales?
- Other

Q8b: For monitoring of sales values, do you have any suggestions on the % of uplift that should form the financial contribution?

Q8c: Please provide comments on the timing and stages of the re-appraisal.

**Q8d: Are there any exceptions to requiring re-appraisal for deferred contributions?
Please specify**

9. OTHER INFORMATION IN THE SPD

Q9a: Please provide any comments you have on the matters a) to m) proposed to be included in the SPD.

Q9b: Are there any other topic areas the SPD needs to cover?

- Yes
- No

Q9c: If you answered 'Yes' to question 9b then please provide details.

Personal Information

Full Name *

Organisation *

Contact Email *

Thank you for completing this survey.

We will carefully consider all comments and feedback made at this early engagement stage and commence production of a draft version of the SPD with our preferred options set out. This draft SPD will be available for a full public consultation, for a minimum of 4 weeks, as required by legislation and set out in our SCI.

As part of this, a consultation document will be produced setting out how comments received as part of this engagement stage were considered.

We anticipate this consultation will be held in Spring 2026.

Please contact us if you have any questions or if you wish to be removed from our database. planning.policy@dover.gov.uk

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Appendix 2 – Stakeholder Engagement FAQs



Affordable Housing Supplementary Planning Document Stakeholder Engagement - FAQs

The Council is preparing a Supplementary Planning Document (SPD) to support the delivery of the adopted Affordable Housing Policy (Policy SP5 of [Dover District Local Plan to 2040](#)).

The SPD is intended to provide guidance and advice on how the policy should be implemented in practice through the planning process. It will replace the current adopted [Affordable Housing SPDs, First Homes Position Statement and the 2002 Local Exception SPG](#).

This stakeholder consultation is seeking views on the issues to be covered by the SPD, and options in relation to the practical implementation of the policy. It also considers how recent changes in national policy may be taken account of.

WHAT ARE SUPPLEMENTARY PLANNING DOCUMENTS?

Supplementary Planning Documents (SPDs) provide more detailed advice or guidance in relation to policies in the adopted Local Plan. They usually focus on a particular issue – e.g., Affordable Housing, Design – or a geographical area and are intended to help with the interpretation and implementation of our planning policies.

They are also helpful in clarifying how new legislative and other requirements which post-date adoption of the Local Plan will be applied.

Once they are adopted, they are a material consideration in the determination of planning applications. Planning officers and the planning committee will look at whether development proposals are consistent with the advice in relevant SPDs when assessing planning applications and deciding whether planning permission should be granted.

ISN'T THE GOVERNMENT REPLACING SPDs?

The government has stated through the Levelling Up and Regeneration Act that SPDs will be replaced by 'Supplementary Plans', which will carry greater weight than SPDs as they will be required to go through independent examination. These changes are not likely to take effect for some time. In the meantime, we need to provide up-to-date guidance on this important issue and will review the status of the SPD at a later date.

Dover District Council – Stakeholder Engagement FAQs – Affordable Housing SPD



CONSULTATION ON SPDs

The council has set out in the [Statement of Community Involvement \(SCI\) 2025](#), how we will engage on SPDs as they are being prepared, and this includes early stakeholder engagement with specific organisations with an interest in the topic who will be invited to comment on initial proposals and options for the content of the SPD. **This is the stage this SPD is currently at.**

WHY HAVE I BEEN INVITED TO TAKE PART AT THIS STAGE?

You have been identified as an organisation, group or individual that has a specific interest in the topic of Affordable Housing in the district, and your details were held on one of our databases. If you do not wish to remain on our database for this purpose, please email planningpolicy@dover.gov.uk and request to be removed.

If you are aware of any colleagues or organisations that have not been invited at this stage but may wish to participate, you are welcome to forward this documentation to them, but please do not share it on public platforms.

HOW DO I RESPOND AND WHEN IS THE DEADLINE?

This early stakeholder engagement consultation is set out as an 'Issues and Options' paper, setting out what issues have arisen in the application and delivery of the Local Plan Policy SP5 and how we might address these in the future draft of SPD. This can be found in the attached PDF document.

You can respond to the specific questions in the [online form](#).

The consultation period is open until Monday 12th January 2026 at midnight.

WHAT HAPPENS NEXT?

We will carefully consider all comments and feedback made at this early engagement stage and commence production of a draft version of the SPD with our preferred options set out. This draft SPD will be available for a full public consultation, for a minimum of 4 weeks, as required by legislation and set out in our SCI. As part of this, a consultation document will be produced setting out how comments received as part of this engagement stage were considered. We anticipate this consultation will be held in Spring 2026.

QUESTIONS? Email planningpolicy@dover.gov.uk

Dover District Council – Stakeholder Engagement FAQs – Affordable Housing SPD



Appendix 3 – Stakeholders Invited to Participate

Developers	
Abbey Developments	Jarvis Homes
Amour Property	Jenner Group
BDW Homes	Karl Lee Construction
Bellway	KR Planning
Cameron Lettings	Lee Evans
Chartway Group	Martin & Co Dover
City Court Developments	Midvalley
Colebrook Sturrock	Ogi Properties
Court Developments	Pentland Homes
Dandara	Persimmon Homes
DHA Planning	Quinn Estates
DHA Planning	Richborough Estates
East Kent Spatial Development Company	Savills
Elgars	Stantec
Esquire Developments	Strutt and Parker
Fernham Homes	Sunning Dale House
Hume Planning	Tetlow King

Agents		
APX Architecture	Finns	Manse Designs
Bloomfield Ltd	Gary Laslett	Michael Collins Architects
CAD Solutions	GPM2 Design Architecture and Surveying	Nigel Bonnage
Cason Green	Halshaw Architecture	OSG Architecture
CDP Architecture	HCUK Group	Planning Issues Ltd
CEA Architects	HCUK Group	RD Architects
Chart Way Group	Historic Building Advisors	Rebus Planning
Clague Architects	Hobbs Parker	Red House Design
Clive Alexander	Ian Barber Associates	Red House Design
Clive Taylor Architecture	John Elvidge Planning Consultancy	Roger Joyce Associates
Clive Tidmarsh	JP Planning	Smith Group
Colebrook Sturrock	JPD Architecture	Sterling Architecture
Cyma Architects	Julian Sinstadt, Chartered Building Engineer	TG Designer Homes
DHA Planning	Lander Planning	The MPL Group
Duncan Graham	Le Valliant Owen	Tilby Design Ltd
E.K.Drawing Service Ltd	LGIM Real Assets	Tony Michael Consulting
Ez-Plans	Ltd Services	Town Planning Consulting
	M.J.Gulvin - Architects	Tridax

Appendix 4 – Stakeholder consultation comments in full

Plan Amour Ltd on behalf of Karllee Construction (UK) Ltd

1. TENURE MIX

Q1a: Should the SPD set out flexibility in the requirement for First Homes tenure following the NPPF amendment?

- Yes
- No

Q1b: Should the SPD set out different tenure mix options that would be supported without the need for a viability appraisal?

- Yes
- No

Q1c: Do you agree that the following tenure mix options should be supported without the need for a viability appraisal?

- 55% Affordable/social rent and 45% Shared Ownership
- 55% Affordable/social rent, 25% Shared Ownership and 20% other home ownership product

- Yes
- No

Q1d: Are there other tenure mix options that should be supported without the need for a viability appraisal?

- Yes, please specify in Q1e
- No

Q1e: If you answered 'Yes' to above question, please specify and set out the justification for any suggestions.

Other tenure mix options that should be supported without the need for a viability appraisal (subject to local needs evidence and RP appetite) include:

- 100% Shared Ownership (or other affordable home ownership products) where this helps maintain scheme deliverability and supports delivery in practice.
- 25% Affordable or Social Rent, 75% Shared Ownership as a higher home ownership mix that can help marginal sites proceed without protracted viability discussions.
- 40% Affordable or Social Rent, 60% Shared Ownership as a balanced option where rented need is present but scheme viability remains sensitive.
- 0% First Homes where the applicant proposes an alternative affordable home ownership product that is demonstrably deliverable and meets local needs.

Justification: Pre-agreed "safe harbour" mixes reduce delay, cost and uncertainty, and avoid unnecessary viability work on smaller or marginal schemes. It also allows applicants and the Council to respond to market conditions and RP requirements, for example where an RP has a clear preference or funding capacity for one tenure over another at a given time, which can help secure take up and delivery. This is likely to increase overall delivery, including affordable delivery, because applicants can align the proposed mix to what is deliverable from the outset rather than revisiting the mix later in the process.

Q1f: Please provide any other comments relating to the tenure mix requirements of Policy SP5.

We support the SPD clearly setting out flexibility on tenure mix, including how Policy SP5 should be applied following the NPPF amendment.

In many cases across the District, schemes are marginal once abnormal costs, build costs, finance and planning obligations are taken into account. In that context, tenure mix flexibility is a practical way to improve deliverability without defaulting to viability reviews, which add time and cost and can delay delivery.

If the SPD provides a small range of clear, deliverable tenure mix options that can be agreed up front, there is a better chance of getting the mix right first time, reducing the need for later negotiation and helping to secure affordable housing delivery more consistently in practice.

2. MIX OF UNIT TYPES AND SIZES

Q2a: Should the SPD set out guidance on the relationship between Policies H1 and SP5, and how the housing mix should be informed by local affordable housing need in the early stages of a schemes design?

- Yes
- No

Q2b: Please provide your comments about this

Yes, clear guidance would be helpful, particularly if it encourages early dialogue between applicants, the Council's housing team and (where relevant) Registered Providers on what is realistically deliverable and likely to be taken up.

However, the SPD should remain pragmatic and avoid setting prescriptive requirements that go beyond the Local Plan, as the optimal unit mix can be constrained by site context, design, market demand and viability. The emphasis should be on a proportionate process that helps the housing mix be agreed early, reducing redesign and delay later, rather than creating additional evidential hurdles.

3. VIABILITY ISSUES

Q3a: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 1? Applicants will be required to provide a compare and contrast assessment against the Local Plan Viability Report to show where the information has changed. This must be for all and not just individual assumptions.

- Yes
- No

Q3b: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 27 Applicants should demonstrate different tenure mixes have been tested to explore if a tenure change would make 30% on-site viable.

- Yes
 No

Q3c: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 37 Applicants should present their tenure mix assessments in the appraisal to show a range has been tested and to highlight what tenure mix would provide the highest percentage of on-site affordable homes (to show if any options are close to 30%). Liaison would be needed with Council housing department to ensure that the tenure mix being tested will meet a local need, even if not fully policy compliant

- Yes
 No

Q3d: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 47 Applicants should identify the policy compliant off-site financial contribution calculations based on the approach set out in the SPD.

- Yes
 No

Q3e: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 57 Applicants should show that part d of Policy SP5 has been tested and a combination of options a,b,c has been explored – i.e. part payments and part on-site delivery (for example, home ownership products on site, and rental as off-site contribution)

- Yes
 No

Q3f: Please provide any other comments in relation to the consideration of viability and affordable housing delivery?

Viability discussions already often take a significant amount of time to negotiate, not least because there is an element of professional judgement and subjectivity in certain inputs and assumptions. The SPD should therefore avoid adding further layers of process that risk increasing delay, cost and uncertainty, as this can discourage sites from coming forward and ultimately reduce affordable housing delivery in practice.

If the Council wishes applicants to demonstrate that different delivery routes and tenure mixes have been explored, the SPD needs to be clear, consistent and applied consistently across all schemes that trigger affordable housing, so expectations are understood from the outset and negotiations are streamlined. The SPD could also consider a more graduated and proportionate approach (for example, scaling expectations by scheme size), rather than a one size fits all set of requirements that can be particularly burdensome on smaller or marginal sites.

Scenario testing has value, and we support proportionate testing of tenure mix and combinations of on site and off site delivery. However, where a robust appraisal demonstrates that the policy compliant position is not viable, repeated iterations and spreadsheet adjustments in the hope of changing the outcome are unlikely to assist. The focus should be on a clear, transparent and streamlined process that reaches an agreed position quickly and enables delivery.

4. PRACTICALITY REASONS

Q4a: Should the SPD identify practicality exceptions to providing affordable housing on site?

- Yes
 No

Q4b: If you answered 'Yes' to question 4a, please specify what practicality exceptions these should be.

Practicality exceptions should be clearly defined and include (as a minimum):

Small unit numbers / small sites where on-site provision is not practical or would create disproportionate delivery and management issues relative to the scale of the scheme.

Constrained sites (for example town centre, backland, brownfield and irregular plots) where the layout, access, servicing, or other physical constraints make on-site delivery impractical.

Heritage or technical constraints where requirements necessary to protect heritage assets, deliver remediation, or resolve abnormal development costs mean on-site affordable provision is not realistically deliverable.

Evidenced delivery constraints / RP appetite where proportionate engagement indicates that the proposed affordable offer is unlikely to be taken up within a reasonable timeframe (noting the objective is delivery, not process).

Phased or complex regeneration schemes where an off-site (or part off-site) approach is the only realistic route to securing an affordable contribution in a timely way.

These exceptions should be framed around deliverability and practicality, with simple, evidence-led requirements that do not introduce unnecessary delay.

Q4c: Please provide any views you have on the minimum number of 10 Registered Providers (including the council's housing team) being suggested.

The suggested minimum of 10 Registered Providers (including the Council's housing team) is onerous, disproportionate and inefficient. It risks delaying applications and inundating RPs with repeated requests, many of which will not be relevant, which can reduce engagement across the sector. Volume does not equal quality, approaching 10 RPs is unlikely to generate materially different outcomes than approaching a smaller number of genuinely relevant providers.

The SPD should instead require proportionate engagement, for example contacting the Council's housing team plus 3-5 relevant RPs who are active in the District and aligned to the tenure/product being proposed. The evidential requirement should be that the applicant has made the approaches and provided copies of correspondence and allowed a reasonable response period, not that the applicant must secure responses. Applicants should not be expected to chase non-responses as a condition of demonstrating practicality, as this simply creates avoidable delay.

Q4d: Please provide any comments you have on whether off-site commuted sums or on-site low-cost home ownership products should be required where practicality issues are accepted.

Where practicality issues are accepted, the SPD should clearly support off-site commuted sums as a straightforward and efficient mechanism, particularly for smaller and marginal sites (including those delivered by SMEs). A clear, transparent off-site contribution mechanism can unlock delivery early and avoid schemes becoming bogged down in protracted viability negotiations.

If an applicant proposes an off-site contribution up front using the SPD methodology, and it is fair, reasonable, evidenced and proportionate, it should be treated as an acceptable policy-compliant route to securing affordable provision.

On-site low-cost home ownership products can also be a good alternative where deliverable, but the SPD should avoid overly onerous cascade and marketing requirements that can delay sales and increase risk for developers. Any cascade should be simple, time-limited and workable, recognising that delivery and timely occupation is the objective.

5. MEETING THE 30% of SP5

Q5a: Please state your preferred option (1-3).

- Option 1 - That to meet the policy requirements of 30% it is expected that the numbers on site will always be rounded up to the nearest whole unit
 Option 2 - Accept financial contributions to cover part units, where it is less than 0.5 of the unit. This would only apply where the resulting 30% is less than 0.5 of a unit. Those 0.5 or above, would still need to provide the rounded up whole unit amount
 Option 3 - Accept financial contributions to cover part units of all sizes (0.1 to 0.9 of a unit)

Q5b: Please state option preferred in question 5a and explain choice.

Always rounding up to the nearest whole unit can place a disproportionate burden on smaller schemes and, in some cases, can be the difference between a site being deliverable or not. Allowing a commuted sum for part units of all sizes is a simpler, fairer and more transparent approach that secures an affordable contribution in proportion to the scheme, without forcing an additional whole unit where the numbers do not naturally work.

Option 3 should also reduce negotiation around marginal fractions and provide greater certainty for applicants and the Council.

Q5c: Please provide any other suggestions for how the delivery of part unit requirements could be addressed.

The SPD should set out a clear, consistent and simple method for calculating commuted sums for part units (aligned with the SPD's wider approach to off site contributions), including when payments are triggered. The Council could also confirm that, where an applicant proposes a policy compliant commuted sum up front for any part unit, this will normally be accepted without requiring protracted negotiation, to avoid delay and support delivery.

6. WHEN SHOULD AFFORDABLE HOUSING DETAILS BE AGREED?

Q6a: Should the SPD require that in most cases (this would not include certain types of application such as Outline or Permission in Principle) the detail of Affordable Housing unit location, mix and tenure should be agreed with the council at pre-application stage to be submitted with the application, or at the latest application stage prior to decision?

- Yes
 No

Q6b: If you answered 'No' to question 6a, please explain why not.

While early engagement is sensible in principle, requiring affordable housing unit location, mix and tenure to be agreed in most cases at pre-application stage (or at the latest before decision) adds another layer of complexity, time and cost at a point when an applicant still does not know whether planning permission will be granted. In practice, locking down detailed affordable housing arrangements too early can also lead to redesign and reworking if the scheme evolves through the application process, which increases cost and delay. A more pragmatic approach is to agree the key principles at pre-application or application stage where possible, but allow appropriate flexibility for detailed matters to be finalised through a proportionate mechanism without delaying determination.

Q6c: Should the SPD include guidance and provision for including a 'Cascade Mechanism' in decisions and S106 agreements?

- Yes
 No

Q6d: If you answered 'Yes' to question 6c, please explain.

Yes. A cascade mechanism can be helpful, but only if it is drafted to avoid creating delay and uncertainty that can stall sites. In practice, developers can often know from the outset whether a particular on-site affordable housing arrangement will be deliverable, and if the cascade process then takes many months to "prove" what is already apparent, this can delay start on site, create financing and programme risk, and in some cases deter schemes from coming forward at all.

The SPD should therefore emphasise that cascade mechanisms must have clear, fair and time-limited stages, with straightforward evidence requirements, and a clear route to move to an agreed alternative (including an off-site contribution) within defined timescales, so that affordable housing discussions do not become a barrier to delivery.

Q6e: Please provide any comments you have on the specific proposals for the cascade mechanism.

The cascade mechanism should be simple, time-limited and focused on delivery. We suggest:

Clear stages and time limits, for example 4-8 weeks per stage, with a defined evidence requirement (copies of emails/heads of terms), and no open-ended marketing.

A defined RP engagement approach, focused on a small number of relevant RPs (plus the Council's housing team), rather than wide circulation.

Built-in tenure flexibility, allowing movement between affordable home ownership products (and any agreed rented element) where this improves take-up, without having to re-open viability.

A clear commuted sum "backstop", so if on-site delivery proves impractical within the defined timeframes, the scheme can move forward with a transparent off-site contribution instead of becoming stalled.

Avoid over-complex triggers that create repeated approvals or sign-offs, as this increases delay and uncertainty and can deter delivery.

The aim should be to protect the Council's position while ensuring schemes are not bogged down in process after permission, and that affordable delivery, whether on-site or off-site, is secured efficiently.

7. CALCULATION OFF-SITE CONTRIBUTIONS

Q7a: Which financial contribution calculation option do you consider most appropriate/practical?

- Option 1a
 Option 1b
 Option 2
 Option 3
 Other

Q7b: Please set out any comments you have to explain your answer to Q7a.

Option 1a is the most practical and transparent approach, as it is simple to understand and apply and gives applicants and landowners early clarity. However, the Council should be cautious about assuming that because this method may not generate sufficient funding (in some cases) to deliver replacement affordable housing elsewhere, the solution is simply to increase the requirement.

A commuted sum of 5% of GDV can already represent a significant sum and a material reduction in developer profit, which in turn can make schemes unviable, particularly on marginal sites and where abnormal costs are present. If the off-site requirement is pushed too hard, the risk is that sites will not come forward at all, resulting in no housing delivery and therefore no affordable delivery.

While a clear mechanism is helpful, the SPD needs to recognise that viability is often scheme-specific and influenced by particular site constraints. The emphasis should be on a straightforward, proportionate approach that supports delivery, with flexibility where a robust appraisal demonstrates the policy compliant position is not viable, rather than setting a higher blanket requirement that could stall development across the District.

8. DEFERRED CONTRIBUTIONS

Q8a: Which form of re-appraisal do you consider most appropriate?

- a full viability re-appraisal?
 monitoring of the sales values?
 A capped coverage style review, based on actual outcomes, with a clear benchmark and defined triggers.

Q8b: For monitoring of sales values, do you have any suggestions on the % of uplift that should form the financial contribution?

If a sales value uplift approach is used, any contribution should be modest, fair and capped, for example up to 25% of the uplift above an agreed benchmark, using a clear and transparent method of calculation.

The Council should recognise that the developer is taking the delivery and market risk, and the uplift share should be proportionate so it does not remove the incentive to optimise scheme performance, delivery and quality. If uplift is over-captured, it can discourage investment and undermine delivery, which would be counterproductive to securing affordable housing outcomes.

Q8c: Please provide comments on the timing and stages of the re-appraisal.

The review process should be clear, time-limited and designed not to stall delivery. In particular, it should include a non-trigger / waiver where development is implemented within a defined period following permission (or where first occupation occurs within a defined period), recognising that viability is assessed at a point in time and if a developer progresses quickly the agreed position should generally stand.

If a review is triggered, it should be limited in number and tied to defined trigger points (for example a single review at practical completion or at sale/occupation of an agreed proportion of units), using a standardised methodology and agreed benchmark to minimise subjectivity and avoid prolonged negotiation. Multiple staged reviews should generally be avoided, as they add delay and cost for both applicants and the Council and can bog schemes down in process.

Q8d: Are there any exceptions to requiring re-appraisal for deferred contributions? Please specify

Yes. Re-appraisal requirements should not apply where they would be disproportionate or risk stalling delivery, for example:

- Smaller schemes / SME delivery.
- Where development is implemented within an agreed period following permission (or first occupation occurs within an agreed period).
- High abnormal cost / brownfield / regeneration sites with significant cost risk.
- Where a fixed deferred sum (or clear capped coverage style mechanism) is agreed up front, providing certainty for all parties.

9. OTHER INFORMATION IN THE SPD

Q9a: Please provide any comments you have on the matters a) to m) proposed to be included in the SPD.

Most of the proposed items (a-m) are helpful in principle, particularly where they improve clarity, consistency and speed up decision-making. The key is that the SPD must remain practical and proportionate, and should not introduce "policy creep" or additional administrative burdens that go beyond the Local Plan.

Specific comments:

- a) Flow chart – strongly supported, provided it is clear and simple.
- b) Designated Rural Areas – helpful for certainty.
- c) Subdivision of large sites – understood in principle, but the approach should be applied pragmatically and evidence-led to avoid deterring delivery (particularly where separate, unconnected ownerships come forward over time).
- d) Space standards and M4(3) rounding – clarity is helpful, but requirements should remain proportionate and deliverable.
- e) Full AH schedules at application stage – caution, this can add time and cost upfront and risk delay if permission is uncertain or schemes evolve, flexibility should remain.
- f) Tenure blind – supported as a principle, with pragmatic flexibility where justified by management and deliverability.
- g) Special cases (self/custom build, older persons, vacant building credit etc) – helpful, provided it is clear how these interact with SP5 and does not add unnecessary complexity.
- h) Standard S106 clauses – supported if it streamlines legal drafting and negotiations.
- i) In perpetuity / DPA waivers – clarity welcomed.
- j) How commuted sums will be spent – strongly supported for transparency and confidence in the system.
- k) Rural Local Housing Needs (H2) – helpful, but should remain realistic and deliverable.
- l) Submission requirements – supported if kept proportionate and avoids over-specification.
- m) Interpreting the Local Plan Viability evidence – helpful, but it should not become a blanket requirement to undertake exhaustive comparisons on every scheme.

Overall, the SPD should focus on simplifying the process and enabling timely delivery, rather than adding further layers of detail that increase cost, delay and uncertainty.

Q9b: Are there any other topic areas the SPD needs to cover?

- Yes
- No

Q9c: If you answered 'Yes' to question 9b then please provide details.

The SPD should explicitly address proportionality, SME delivery and unintended threshold effects. As currently drafted, the threshold can discourage delivery, for example a 9-unit scheme may have no affordable requirement, whereas a 10-unit scheme can trigger a requirement that materially reduces market delivery and scheme viability. This can deter landowners and developers from bringing forward schemes at the margin, which is counterproductive to overall housing and affordable housing delivery.

The SPD should therefore consider a graduated and more deliverable approach to smaller schemes, recognising the cumulative requirements now affecting development (for example biodiversity net gain, drainage/SuDS expectations, sustainability and energy credentials), which add cost and risk disproportionately to small sites. By way of example, the Council could consider:

- For smaller schemes around the threshold, allowing a clear, formula-based off-site commuted sum (or a simplified approach) in place of on-site units, given that very small numbers of on-site affordable homes can be less attractive to RPs and can create disproportionate viability impacts.
- For larger schemes, applying a stepped on-site requirement (for example a lower percentage on mid-sized schemes, rising to the full policy requirement on larger schemes), with clear guidance on rounding and delivery expectations.

The overall objective should be to improve certainty and unlock delivery on small and marginal sites, which, taken together, make a meaningful contribution to housing supply across the District.

Personal Information

Full Name *

Adam Stratford

Organisation *

Plan Amour Ltd on behalf of Karlee Construction (UK) Ltd

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Thank you for completing this survey.

We will carefully consider all comments and feedback made at this early engagement stage and commence production of a draft version of the SPD with our preferred options set out. This draft SPD will be available for a full public consultation for a minimum of 4 weeks, as required by legislation and set out in our SCI.

As part of this, a consultation document will be produced setting out how comments received as part of this engagement stage were considered.

We anticipate this consultation will be held in Spring 2026.

Please contact us if you have any questions or if you wish to be removed from our database. planning.policy@dover.gov.uk

Fernham Homes Operations Ltd

1. TENURE MIX

Q1a: Should the SPD set out flexibility in the requirement for First Homes tenure following the NPPF amendment?

- Yes
 No

Q1b: Should the SPD set out different tenure mix options that would be supported without the need for a viability appraisal?

- Yes
 No

Q1c: Do you agree that the following tenure mix options should be supported without the need for a viability appraisal?

- 55% Affordable/social rent and 45% Shared Ownership
- 55% Affordable/social rent, 25% Shared Ownership and 20% other home ownership product

- Yes
 No

Q1d: Are there other tenure mix options that should be supported without the need for a viability appraisal?

- Yes, please specify in Q1e
 No

Q1e: If you answered 'Yes' to above question, please specify and set out the justification for any suggestions.

55% Affordable/social rent and 45% other home ownership product/Discounted Market Sale.
This enables flexibility as First Homes as a product is a form of Discount Market Sale (DMS) and therefore substituting the % of First Homes with the same % of other home ownership/DMS would effectively be the same – and would also allow the use of other types of affordable homes that fall within these definitions in the NPPF.

Q1f: Please provide any other comments relating to the tenure mix requirements of Policy SP5.

No answer provided.

2. MIX OF UNIT TYPES AND SIZES

Q2a: Should the SPD set out guidance on the relationship between Policies H1 and SP5, and how the housing mix should be informed by local affordable housing need in the early stages of a schemes design?

- Yes
 No

Q2b: Please provide your comments about this

The SPD should relate to Policy SP5 rather than being specific on housing mix. Any additional commentary on housing mix would replicate Policy H1. Policy H1 has been tested through Examination and therefore meets all the NPPF soundness tests. Notwithstanding this, it is important that the views of RPs are given substantial weight in the consideration of affordable housing tenure mixes and layouts, which – on occasion – clash with the sometimes highly idealistic views of planning officers (not necessarily in Dover district, but in other districts in Kent).

3. VIABILITY ISSUES

Q3a: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 1? Applicants will be required to provide a compare and contrast assessment against the Local Plan Viability Report to show where the information has changed. This must be for all and not just individual assumptions.

- Yes
 No

Q3b: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 2? Applicants should demonstrate different tenure mixes have been tested to explore if a tenure change would make 30% on-site viable.

- Yes
 No

Q3c: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 3? Applicants should present their tenure mix assessments in the appraisal to show a range has been tested and to highlight what tenure mix would provide the highest percentage of on-site affordable homes (to show if any options are close to 30%). Liaison would be needed with Council housing department to ensure that the tenure mix being tested will meet a local need, even if not fully policy compliant

- Yes
 No

Q3d: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 4? Applicants should identify the policy compliant off-site financial contribution calculations based on the approach set out in the SPD.

- Yes
 No

Q3e: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 57 Applicants should show that part d of Policy SP5 has been tested and a combination of options a,b,c has been explored – i.e. part payments and part on-site delivery (for example, home ownership products on site, and rental as off-site contribution)

- Yes
- No

Q3f: Please provide any other comments in relation to the consideration of viability and affordable housing delivery?

The key evidence document is the Local Plan Viability Report: this tests the viability of a range of development scenarios. It is important DDC consider evidence provided by applicants that have regard to this evidence based document.

In respect of point 3 – this is disagreed with. There will be occasions where the viability assessment should consider the whole development. However, there are times where the rest of a development (including appropriate cross-subsidy of affordable homes by market homes) is viable, but the offers received by developers on the affordable element do not meet the values set out in the Local Plan Viability Report – i.e. it is only the affordable homes element which is not viable. In such scenarios an affordable homes only viability assessment should be provided.

A full Viability Report can be costly and therefore point 1 should be considered in the first instance and where agreement cannot be reached, evidence related to points 2 and 4 should then be considered.

4. PRACTICALITY REASONS

Q4a: Should the SPD identify practicality exceptions to providing affordable housing on site?

- Yes
- No

Q4b: If you answered 'Yes' to question 4a, please specify what practicality exceptions these should be.

Where no RP is willing to offer to purchase the affordable units (for example because the site is too small, or because the mix of affordable homes is not suitable).

Q4c: Please provide any views you have on the minimum number of 10 Registered Providers (including the council's housing team) being suggested.

Femham Homes are not against contacting 10 RPs, but it would be helpful if the names of the RPs that DDC considers must be contacted, and associated contact details, are provided.

Q4d: Please provide any comments you have on whether off-site commuted sums or on-site low-cost home ownership products should be required where practicality issues are accepted.

Inclusion of flexibility within the SPD is welcomed, particularly in relation to on-site low cost home ownership products such as Discount Market Sale as it enables a form of affordable housing to be provided on sites where RPs do not wish to offer.

5. MEETING THE 30% of SP5

Q5a: Please state your preferred option (1-3).

- Option 1 - That to meet the policy requirements of 30% it is expected that the numbers on site will always be rounded up to the nearest whole unit
- Option 2 - Accept financial contributions to cover part units, where it is less than 0.5 of the unit. This would only apply where the resulting 30% is less than 0.5 of a unit. Those 0.5 or above, would still need to provide the rounded up whole unit amount
- Option 3 - Accept financial contributions to cover part units of all sizes (0.1 to 0.9 of a unit)

Q5b: Please state option preferred in question 5a and explain choice.

It provides a clear way forward and will help give assurance to applicants in terms of viability of schemes as calculations of financial contributions can vary.

Q5c: Please provide any other suggestions for how the delivery of part unit requirements could be addressed.

Where it is 0.4 or less of a unit, no part units is sought either through rounding up or a financial contribution. This is the case in other Kent LPAs and again helps give assurance to applicants.

6. WHEN SHOULD AFFORDABLE HOUSING DETAILS BE AGREED?

Q6a: Should the SPD require that in most cases (this would not include certain types of application such as Outline or Permission in Principle) the detail of Affordable Housing unit location, mix and tenure should be agreed with the council at pre-application stage to be submitted with the application, or at the latest application stage prior to decision?

- Yes
- No

Q6b: If you answered 'No' to question 6a, please explain why not.

Whilst there may be some occasions where suitable offers are received at pre-application stage, and the tenure mix can be "fixed", given the inherent difficulties which exist in the affordable housing market at present, it is often the case that it can take significant periods of time to receive suitable offers (if any), and therefore if it was to be agreed pre-application this would potentially significantly delay the submission of a planning application.

Whilst resolving this prior to decision is preferable to pre-application stage, there will still be occasions where this cannot be achieved and such requirements will ultimately delay the "next steps" (e.g. land purchase, workings drawings, tendering for work) which can all be undertaken whilst the affordable housing is finalised (post planning permission).

Accordingly, it is necessary that there is sufficient flexibility in the guidance – so that it can perhaps set out that ideally it will be resolved at pre-application stage/prior to decision, but it is not fundamental to do so.

Q6c: Should the SPD include guidance and provision for including a 'Cascade Mechanism' in decisions and S106 agreements?

- Yes
- No

Q6d: If you answered 'Yes' to question 6c, please explain.

FH would strongly advocate for its inclusion: it provides assurance that the Council will allow a 'Cascade Mechanism'. Femham Homes have agreed Cascade Mechanisms with a number of Kent LPAs and having confirmation these will be agreed in the SPD is preferable.

Q6e: Please provide any comments you have on the specific proposals for the cascade mechanism.

FH have agreed the following with Swale Borough Council (which reflects SBC's tenure policy requirements), and it is recommended that the inclusion of a cascade based on the below would provide DDC with an approach which is efficient and tested elsewhere:

"Schedule X of this Deed requires the delivery of YYZ types of tenures comprising ZZZZ Units and AAAA Units in accordance with the Affordable Housing Scheme. The Owner may deliver a different tenure mix to that contemplated by the Affordable Housing Scheme if such other tenure mix is first approved in writing by the Borough Council following the submission of a written report demonstrating to the Borough Council's satisfaction that the tenure mix as proposed by this Deed is unable to be delivered and justifying the proposed tenure mix PROVIDED ALWAYS THAT no new type of tenure beyond those expressly outlined in this deed shall be provided"

Proposals to vary the requirements to a different tenure outside those in the S.106 would require a Deed of Variation to the S.106 agreement.

7. CALCULATION OFF-SITE CONTRIBUTIONS

Q7a: Which financial contribution calculation option do you consider most appropriate/practical?

- Option 1a
- Option 1b
- Option 2
- Option 3
- Other

Q7b: Please set out any comments you have to explain your answer to Q7a.

Of the options provided in Q7a:

Option 1a: in Fernham's experience this simply does not work and should be excluded.

Option 1b is the most appropriate. The calculation has to be less the costs of specification differences, sales and marketing, funding costs and costs associated with holding stock. Taking funding and sales/marketing as an example: these vary significantly for market housing compared to affordable housing. For instance with affordable housing, monies are provided by the RP often at an early stage in the build, and therefore if these dwellings were market homes instead of affordable, the developer would need to fund the build for an extended amount of time. In relation to sales and marketing, the cost of marketing a market dwelling is significantly different and applies a higher % of the value of the home.

Options 2 and 3 create more uncertainty for developers. It is difficult to understand Option 3 without seeing a worked example.

8. DEFERRED CONTRIBUTIONS

Q8a: Which form of re-appraisal do you consider most appropriate?

- a full viability re-appraisal?
- monitoring of the sales values?
- re-appraisal but do not re-visit profit margin or professional costs as this would provide no certainty for the developer.

Q8b: For monitoring of sales values, do you have any suggestions on the % of uplift that should form the financial contribution?

No answer provided.

Q8c: Please provide comments on the timing and stages of the re-appraisal.

The timing and stages for the re-appraisal would be dependent upon the site and should be negotiated between the LPA and applicant as part of the S. 106 process as this will vary considerably dependent on site size and development form.

Q8d: Are there any exceptions to requiring re-appraisal for deferred contributions? Please specify

Where there is no realistic prospect of an increase to the commuted sum as there is no reason to go through the re-appraisal process and incur costs. In order to avoid Members and other stakeholders expecting a re-appraisal – i.e. to manage expectations – it is suggested that the SPD should set out that there will be occasions such as the above where no re-appraisal is required.

9. OTHER INFORMATION IN THE SPD

Q9a: Please provide any comments you have on the matters a) to m) proposed to be included in the SPD.

In relation to e) – as set out in response to Q6b there are times where it would not be efficient or effective for the tenure to be specified at application stage, and to do so would delay the commencement of development.

Q9b: Are there any other topic areas the SPD needs to cover?

- Yes
- No

Q9c: If you answered 'Yes' to question 9b then please provide details.

As DDC is aware the UK is in a housing crisis with a particularly acute lack of Affordable Housing. The need for Affordable Housing is far outstripping supply and there is currently no "silver bullet" to solve the crisis.

In the last few years, there has been a severe issue in the south-east in finding RPs to deliver small site Affordable Housing secured through S106. This is primarily due to the limited capacity of most RPs, who need to concentrate on delivering sites of larger numbers of Affordable Homes (to hit internal targets), coupled with the difficulty of managing smaller numbers in more remote locations.

It is vital as a result that LPAs have as greater flexibility as possible to deliver affordable housing on-site, which should be the greatest priority for this SPD.

Personal Information

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Organisation *

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Thank you for completing this survey.

We will carefully consider all comments and feedback made at this early engagement stage and commence production of a draft version of the SPD with our preferred options set out. This draft SPD will be available for a full public consultation, for a minimum of 4 weeks, as required by legislation and set out in our SCI.

As part of this, a consultation document will be produced setting out how comments received as part of this engagement stage were considered.

We anticipate this consultation will be held in Spring 2026.

Please contact us if you have any questions or if you wish to be removed from our database. planning.policy@dover.gov.uk

Hobbs Parker

1. TENURE MIX

Q1a: Should the SPD set out flexibility in the requirement for First Homes tenure following the NPPF amendment?

- Yes
- No

Q1b: Should the SPD set out different tenure mix options that would be supported without the need for a viability appraisal?

- Yes
- No

Q1c: Do you agree that the following tenure mix options should be supported without the need for a viability appraisal?

- 55% Affordable/social rent and 45% Shared Ownership
- 55% Affordable/social rent, 25% Shared Ownership and 20% other home ownership product

- Yes
- No

Q1d: Are there other tenure mix options that should be supported without the need for a viability appraisal?

- Yes, please specify in Q1e
- No

Q1e: If you answered 'Yes' to above question, please specify and set out the justification for any suggestions.

No answer provided.

Q1f: Please provide any other comments relating to the tenure mix requirements of Policy SP5.

No answer provided.

2. MIX OF UNIT TYPES AND SIZES

Q2a: Should the SPD set out guidance on the relationship between Policies H1 and SP5, and how the housing mix should be informed by local affordable housing need in the early stages of a schemes design?

- Yes
- No

Q2b: Please provide your comments about this

This would be helpful to provide guidance to developers, although many have good relationships with RPs so signposting to RPs would not be sufficient. It would be helpful to provide updates (perhaps through hyperlinks to updated SHMAs) in the context of local housing areas and the requirements and differences between need dependent on area

3. VIABILITY ISSUES

Q3a: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 1? Applicants will be required to provide a compare and contrast assessment against the Local Plan Viability Report to show where the information has changed. This must be for all and not just individual assumptions.

- Yes
- No

Q3b: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 2? Applicants should demonstrate different tenure mixes have been tested to explore if a tenure change would make 30% on-site viable.

- Yes
- No

Q3c: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 3? Applicants should present their tenure mix assessments in the appraisal to show a range has been tested and to highlight what tenure mix would provide the highest percentage of on-site affordable homes (to show if any options are close to 30%). Liaison would be needed with Council housing department to ensure that the tenure mix being tested will meet a local need, even if not fully policy compliant

- Yes
- No

Q3d: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 4? Applicants should should identify the policy compliant off-site financial contribution calculations based on the approach set out in the SPD.

- Yes
- No

Q3e: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 57 Applicants should show that part d of Policy SP5 has been tested and a combination of options a,b,c has been explored – i.e. part payments and part on-site delivery (for example, home ownership products on site, and rental as off-site contribution)

- Yes
- No

Q3f: Please provide any other comments in relation to the consideration of viability and affordable housing delivery?

Requiring part contribution and part onsite would potentially over complicate schemes and likely to result in resistance from SME developers

4. PRACTICALITY REASONS

Q4a: Should the SPD identify practicality exceptions to providing affordable housing on site?

- Yes
- No

Q4b: If you answered 'Yes' to question 4a, please specify what practicality exceptions these should be.

As set out in para 4.1 of the engagement document.

Q4c: Please provide any views you have on the minimum number of 10 Registered Providers (including the council's housing team) being suggested.

This is too high as often 10 RPs won't operate in the villages (or wish to take up the more remote locations in the District)

Q4d: Please provide any comments you have on whether off-site commuted sums or on-site low-cost home ownership products should be required where practicality issues are accepted.

This would be preferable to no provision of Affordable; presumably likely to dovetail with viability issues aforementioned

5. MEETING THE 30% of SP5

Q5a: Please state your preferred option (1-3).

- Option 1 - That to meet the policy requirements of 30% it is expected that the numbers on site will always be rounded up to the nearest whole unit
- Option 2 - Accept financial contributions to cover part units, where it is less than 0.5 of the unit. This would only apply where the resulting 30% is less than 0.5 of a unit. Those 0.5 or above, would still need to provide the rounded up whole unit amount
- Option 3 - Accept financial contributions to cover part units of all sizes (0.1 to 0.9 of a unit)

Q5b: Please state option preferred in question 5a and explain choice.

Part payment is likely to overcomplicate schemes, especially in relation to on-going monitoring, although it is recognised that developer preference is likely to be to round down or make a viability case

Q5c: Please provide any other suggestions for how the delivery of part unit requirements could be addressed.

Round down for 0.1 to 0.4 and round up above 0.5

6. WHEN SHOULD AFFORDABLE HOUSING DETAILS BE AGREED?

Q6a: Should the SPD require that in most cases (this would not include certain types of application such as Outline or Permission in Principle) the detail of Affordable Housing unit location, mix and tenure should be agreed with the council at pre-application stage to be submitted with the application, or at the latest application stage prior to decision?

- Yes
- No

Q6b: If you answered 'No' to question 6a, please explain why not.

Unlikely to be known at pre-app stage or as part of Outline applications. Many landowner/promoters obtain outline planning permission prior to sites being sold to developers/RPs. It is at this sale stage, and therefore as part of Reserved Matters consent that more will be known. If too much is fixed as part of an application then it would result in land values being lower/suppressed and sites not coming forward

Q6c: Should the SPD include guidance and provision for including a 'Cascade Mechanism' in decisions and S106 agreements?

- Yes
- No

Q6d: If you answered 'Yes' to question 6c, please explain.

Provides flexibility. However needs to be realistic. I have seen some S106s whereby the cascade mechanism proposed is equally onerous

Q6e: Please provide any comments you have on the specific proposals for the cascade mechanism.

Triggers need to be timely and offer real solutions in order to speed up delivery on site

7. CALCULATION OFF-SITE CONTRIBUTIONS

Q7a: Which financial contribution calculation option do you consider most appropriate/practical?

- Option 1a
- Option 1b
- Option 2
- Option 3
- Other

Q7b: Please set out any comments you have to explain your answer to Q7a.

Having looked at other previous options before this was determined to be the easiest to put into practice, although it is recognised that this does provide the developer with a level of flexibility. Option 3 is interesting, however this would need to be tempered against the housing mix and could result in contrived designs, such as overly large garages, lofts and voids above stairwells. How would deviation from the approved plans (in the context of internal layout alterations during the build) be monitored? How would annexes be dealt with?

8. DEFERRED CONTRIBUTIONS

Q8a: Which form of re-appraisal do you consider most appropriate?

- a full viability re-appraisal?
- monitoring of the sales values?
- Other

Q8b: For monitoring of sales values, do you have any suggestions on the % of uplift that should form the financial contribution?

A 30% increase in sales value to trigger a 5% contribution being levied. Practicality wise not sure how this would be levied or collected

Q8c: Please provide comments on the timing and stages of the re-appraisal.

Sales values are only available 3 months post sale via Land Registry and other published data sources; not sure how this deals with sales incentives etc

Q8d: Are there any exceptions to requiring re-appraisal for deferred contributions? Please specify

No answer provided.

9. OTHER INFORMATION IN THE SPD

Q9a: Please provide any comments you have on the matters a) to m) proposed to be included in the SPD.

b) and h) would be helpful; c) definition of 'large site' required

Q9b: Are there any other topic areas the SPD needs to cover?

- Yes
- No

Q9c: If you answered 'Yes' to question 9b then please provide details.

No answer provided.

Personal Information

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Hobbs Parker

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Elizabeth.Welch@hobbsparker.co.uk

Thank you for completing this survey.

We will carefully consider all comments and feedback made at this early engagement stage and commence production of a draft version of the SPD with our preferred options set out. This draft SPD will be available for a full public consultation, for a minimum of 4 weeks, as required by legislation and set out in our SCI.

As part of this, a consultation document will be produced setting out how comments received as part of this engagement stage were considered.

We anticipate this consultation will be held in Spring 2026.

Please contact us if you have any questions or if you wish to be removed from our database. planning.policy@dover.gov.uk

Hume Planning Consultancy Ltd

1. TENURE MIX

Q1a: Should the SPD set out flexibility in the requirement for First Homes tenure following the NPPF amendment?

- Yes
 No

Q1b: Should the SPD set out different tenure mix options that would be supported without the need for a viability appraisal?

- Yes
 No

Q1c: Do you agree that the following tenure mix options should be supported without the need for a viability appraisal?

- 55% Affordable/social rent and 45% Shared Ownership
- 55% Affordable/social rent, 25% Shared Ownership and 20% other home ownership product

- Yes
 No

Q1d: Are there other tenure mix options that should be supported without the need for a viability appraisal?

- Yes, please specify in Q1e
 No

Q1e: If you answered 'Yes' to above question, please specify and set out the justification for any suggestions.

There is a danger of overproviding viability appraisals. If there is a registered provider secured and discussions with the affordable housing manager agree a tenure mix, time should not be wasted on viability/flexibility issues

Q1f: Please provide any other comments relating to the tenure mix requirements of Policy SP5.

As part of the engagement for this SPD Registered providers should be contacted in order to understand their requirements

2. MIX OF UNIT TYPES AND SIZES

Q2a: Should the SPD set out guidance on the relationship between Policies H1 and SP5, and how the housing mix should be informed by local affordable housing need in the early stages of a schemes design?

- Yes
 No

Q2b: Please provide your comments about this

This approach is supported

3. VIABILITY ISSUES

Q3a: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 1? Applicants will be required to provide a compare and contrast assessment against the Local Plan Viability Report to show where the information has changed. This must be for all and not just individual assumptions.

- Yes
 No

Q3b: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 2? Applicants should demonstrate different tenure mixes have been tested to explore if a tenure change would make 30% on-site viable.

- Yes
 No

Q3c: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 3? Applicants should present their tenure mix assessments in the appraisal to show a range has been tested and to highlight what tenure mix would provide the highest percentage of on-site affordable homes (to show if any options are close to 30%). Liaison would be needed with Council housing department to ensure that the tenure mix being tested will meet a local need, even if not fully policy compliant.

- Yes
 No

Q3d: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 4? Applicants should identify the policy compliant off-site financial contribution calculations based on the approach set out in the SPD.

- Yes
 No

Q3e: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 57 Applicants should show that part d of Policy SP5 has been tested and a combination of options a,b,c has been explored – i.e. part payments and part on-site delivery (for example, home ownership products on site, and rental as off-site contribution)

- Yes
- No

Q3f: Please provide any other comments in relation to the consideration of viability and affordable housing delivery?

This cascading model is supported when the proposed development does not have a registered provider secured in the early stages.

4. PRACTICALITY REASONS

Q4a: Should the SPD identify practicality exceptions to providing affordable housing on site?

- Yes
- No

Q4b: If you answered 'Yes' to question 4a, please specify what practicality exceptions these should be.

-

Q4c: Please provide any views you have on the minimum number of 10 Registered Providers (including the council's housing team) being suggested.

We support this approach, however we would not include the council's in house team as part of this exercise, and in turn remove it entirely from the approach given the limited amount of funding granted to LPAs.

Q4d: Please provide any comments you have on whether off-site commuted sums or on-site low-cost home ownership products should be required where practicality issues are accepted.

We support this approach

5. MEETING THE 30% OF SP5

Q5a: Please state your preferred option (1-3).

- Option 1 - That to meet the policy requirements of 30% it is expected that the numbers on site will always be rounded up to the nearest whole unit
- Option 2 - Accept financial contributions to cover part units, where it is less than 0.5 of the unit. This would only apply where the resulting 30% is less than 0.5 of a unit. Those 0.5 or above, would still need to provide the rounded up whole unit amount
- Option 3 - Accept financial contributions to cover part units of all sizes (0.1 to 0.9 of a unit)

Q5b: Please state option preferred in question 5a and explain choice.

Out of the 3 options stated there is no preferred as each has its merits and complications. In times where the market and making a scheme viable is difficult there will be practical consequences of rounding up which could lead to contrived proposals. The introduction of a contribution would be too complicated

Q5c: Please provide any other suggestions for how the delivery of part unit requirements could be addressed.

Round up when it is above 0.5 to the nearest whole number is the most practical and logical approach

6. WHEN SHOULD AFFORDABLE HOUSING DETAILS BE AGREED?

Q6a: Should the SPD require that in most cases (this would not include certain types of application such as Outline or Permission in Principle) the detail of Affordable Housing unit location, mix and tenure should be agreed with the council at pre-application stage to be submitted with the application, or at the latest application stage prior to decision?

- Yes
- No

Q6b: If you answered 'No' to question 6a, please explain why not.

-

Q6c: Should the SPD include guidance and provision for including a 'Cascade Mechanism' in decisions and S106 agreements?

- Yes
- No

Q6d: If you answered 'Yes' to question 6c, please explain.

The Cascade mechanism and model approach is supported when there are no Registered Providers at early stages. If details are agreed the applicant should not be required to follow this model.

Q6e: Please provide any comments you have on the specific proposals for the cascade mechanism.

-

7. CALCULATION OFF-SITE CONTRIBUTIONS

Q7a: Which financial contribution calculation option do you consider most appropriate/practical?

- Option 1a
- Option 1b
- Option 2
- Option 3
- Other

Q7b: Please set out any comments you have to explain your answer to Q7a.

Option 1a the calculation and 5% approach is supported given there is more clarity provided on this in the SPD. Whilst Option 1b follows the same calculation there is uncertainty regarding the new percentage and its justification. Options 2 and 3 add extra levels of complexity that can be avoided by following the approach in option 1.

8. DEFERRED CONTRIBUTIONS

Q8a: Which form of re-appraisal do you consider most appropriate?

- a full viability re-appraisal?
- monitoring of the sales vales?
- none

Q8b: For monitoring of sales values, do you have any suggestions on the % of uplift that should form the financial contribution?

This approach is not supported

Q8c: Please provide comments on the timing and stages of the re-appraisal.

This approach is not supported

Q8d: Are there any exceptions to requiring re-appraisal for deferred contributions? Please specify

This approach is not supported and therefore this is not applicable

9. OTHER INFORMATION IN THE SPD

Q9a: Please provide any comments you have on the matters a) to m) proposed to be included in the SPD.

h) we would support a standard wording clause within the S106
k) We would welcome further information regarding the Rural Local Need but understand that not all Parishes will have funding undertake required surveying.

Q9b: Are there any other topic areas the SPD needs to cover?

- Yes
- No

Q9c: If you answered 'Yes' to question 9b then please provide details.

As a general comment we support the desire to update the SPD and provide clearer guidance. However we would advise that more consultation is carried out with the registered providers as they are the deliverers of affordable housing and driving matters of tenure.
There is no reference to the desire to "pepper pot" affordable housing. From our experience most Registered providers prefer a cluster of dwellings in an area to ensure more effective management. We support this approach and believe it should be a consideration when developing a layout, given all dwellings are tenure blind.

Personal Information

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Thank you for completing this survey.

We will carefully consider all comments and feedback made at this early engagement stage and commence production of a draft version of the SPD with our preferred options set out. This draft SPD will be available for a full public consultation, for a minimum of 4 weeks, as required by legislation and set out in our SCI.
As part of this, a consultation document will be produced setting out how comments received as part of this engagement stage were considered.
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Kent SME Developers Network

1. TENURE MIX

Q1a: Should the SPD set out flexibility in the requirement for First Homes tenure following the NPPF amendment?

- Yes
- No

Q1b: Should the SPD set out different tenure mix options that would be supported without the need for a viability appraisal?

- Yes
- No

Q1c: Do you agree that the following tenure mix options should be supported without the need for a viability appraisal?

- 55% Affordable/social rent and 45% Shared Ownership
- 55% Affordable/social rent, 25% Shared Ownership and 20% other home ownership product

- Yes
- No

Q1d: Are there other tenure mix options that should be supported without the need for a viability appraisal?

- Yes, please specify in Q1e
- No

Q1e: If you answered 'Yes' to above question, please specify and set out the justification for any suggestions.

That 100% of the tenure split can be Discount Market Sales under certain circumstances. This should be applicable to small sites where no RP has offered on the site i.e. there is no interest in taking any of the Affordable Homes and therefore the developer has the ability to deliver an affordable product on site. The tenure mix should also reflect not only market demand but offers from RPs.

Q1f: Please provide any other comments relating to the tenure mix requirements of Policy SP5.

Often an RP will make a viable offer based on a mix that sits outside of the policy mix or based on grant funding. The guidance should therefore be clear that this tenure split is a target, but could be different subject to what an RP has offered and subject to appropriate evidence being submitted. The need to embrace grant funding should be considered.

2. MIX OF UNIT TYPES AND SIZES

Q2a: Should the SPD set out guidance on the relationship between Policies H1 and SP5, and how the housing mix should be informed by local affordable housing need in the early stages of a schemes design?

- Yes
- No

Q2b: Please provide your comments about this

Yes, clarity should be given that the expectation is that a mix comes forward that meets affordable housing need. However, this also needs to acknowledge current market conditions at the time - which often change based on a number of external factors that affect the market (interest rates/first time buyer incentives/stamp duty thresholds etc). These market fluctuations, which have a big impact on the market (and therefore what a developer considers it can sell at that point in time) occur more regularly than the evidence base that supports local plan policies. Therefore the housing mix should be considered as a target/guide and not an absolute. It is critical that a development can meet the actual market demand at that point in time. If a Developer does not have confidence it can sell the product then it won't build that product. Accordingly, the mix should be a guide only and not enforced on the developer.

3. VIABILITY ISSUES

Q3a: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 1? Applicants will be required to provide a compare and contrast assessment against the Local Plan Viability Report to show where the information has changed. This must be for all and not just individual assumptions.

- Yes
- No

Q3b: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 2? Applicants should demonstrate different tenure mixes have been tested to explore if a tenure change would make 30% on-site viable.

- Yes
- No

Q3c: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 3? Applicants should present their tenure mix assessments in the appraisal to show a range has been tested and to highlight what tenure mix would provide the highest percentage of on-site affordable homes (to show if any options are close to 30%). Liaison would be needed with Council housing department to ensure that the tenure mix being tested will meet a local need, even if not fully policy compliant

- Yes
- No

Q3d: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 4? Applicants should identify the policy compliant off-site financial contribution calculations based on the approach set out in the SPD.

- Yes
- No

Q3e: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 57 Applicants should show that part d of Policy SP5 has been tested and a combination of options a,b,c has been explored – i.e. part payments and part on-site delivery (for example, home ownership products on site, and rental as off-site contribution)

- Yes
 No

Q3f: Please provide any other comments in relation to the consideration of viability and affordable housing delivery?

The viability appraisal should be the vehicle in which these areas are tested on a site by site basis. However, consideration should be given to a common joint viability assessment process - as opposed to a viability assessment prepared by one consultant and tested by another. This can lead to areas of dispute and therefore in this case, the guidance should be clear as to how areas of disagreement are to be resolved. This could include a 3rd party assessor to review both positions and understand and form a view on areas of dispute. Alternatively, a joint viability appraisal is prepared which would remove the areas of dispute.

4. PRACTICALITY REASONS

Q4a: Should the SPD identify practicality exceptions to providing affordable housing on site?

- Yes
 No

Q4b: If you answered 'Yes' to question 4a, please specify what practicality exceptions these should be.

This is crucial (especially for smaller sites) and the guidance needs to be clear on this. In the event that a developer attracts no interest from a Registered Provider, and this is suitably evidenced and submitted to the LPA, there should be the ability to default to Discount Market Sales. This allows a developer (particularly SMEs) to not only deliver the site as a whole, but deliver an affordable product on site. The DMS route is a straight forward process (as the developer can deliver it without 3rd party involvement) and already acknowledged as an affordable product in the NPPF definitions of Affordable Housing.

We also recognise that DDC Housing dept. will always seek to submit an offer on a site. However, it is our experience that these offers are unviable due to both the level of the offer as a whole and that it is based on a turn key basis as opposed to Golden Brick. It is important that in order to avoid delay and cost, that a viability appraisal should not have to be pursued in this event i.e. no RP shows interest but DDC offer - but it is unviable.

Q4c: Please provide any views you have on the minimum number of 10 Registered Providers (including the council's housing team) being suggested.

10 is ok - but suggest the guidance lists a number of core RPs that need to be approached. Can the Council confirm if 10 different RPs operate in Dover? It is recommended that evidence is prepared of which RPs are active in Dover including what sites the Council have delivered.

Q4d: Please provide any comments you have on whether off-site commuted sums or on-site low-cost home ownership products should be required where practicality issues are accepted.

As above, flexibility is key and consideration that DMS units are considered ahead of an off site contribution in any hierarchy approach.

5. MEETING THE 30% of SP5

Q5a: Please state your preferred option (1-3).

No answer provided.

Q5b: Please state option preferred in question 5a and explain choice.

Neither of the above. If the AH % falls below the 0.5 threshold, this should just be rounded down to the nearest whole number and anything 0.5 and above rounded up to the nearest whole number. There should be no 'split' on the financial contribution and on site delivery. This just creates complexity and delay and for what will likely be relatively small sums.

Q5c: Please provide any other suggestions for how the delivery of part unit requirements could be addressed.

As above. keep it simple and clear. Any part payment just results in ambiguity and increased risk.

6. WHEN SHOULD AFFORDABLE HOUSING DETAILS BE AGREED?

Q6a: Should the SPD require that in most cases (this would not include certain types of application such as Outline or Permission in Principle) the detail of Affordable Housing unit location, mix and tenure should be agreed with the council at pre-application stage to be submitted with the application, or at the latest application stage prior to decision?

- Yes
 No

Q6b: If you answered 'No' to question 6a, please explain why not.

The guidance should be clear enough to set expectations from the LPA and the S106 should be drafted to facilitate the various mechanisms required for the site - whether this is DMS or viability approach. Whilst a developer may receive informal interest from an RP at the application stage, it is not until any PP is issued when an offer can be seriously considered to be moved forward with. Given the timescales involved, offers received prior to a PP being granted and the point at which a developer is entering in contract with an RP can mean that an offer is no longer valid. If the guidance is well written and clear and concise, it will negate the need for AH details to be agreed at an early stage.

Q6c: Should the SPD include guidance and provision for including a 'Cascade Mechanism' in decisions and S106 agreements?

- Yes
 No

Q6d: If you answered 'Yes' to question 6c, please explain.

Absolutely. The cascade mechanism should be a standard within S106 Agreements and reports should be presented to committee on this basis. This offers the greatest level of flexibility moving forward.

Q6e: Please provide any comments you have on the specific proposals for the cascade mechanism.

As previously, the ability to move to a DMS product should sit high up in the cascade mechanism.

7. CALCULATION OFF-SITE CONTRIBUTIONS

Q7a: Which financial contribution calculation option do you consider most appropriate/practical?

- Option 1a
 Option 1b
 Option 2
 Option 3
 See below

Q7b: Please set out any comments you have to explain your answer to Q7a.

The key to ensuring effective guidance is to provide for clarity and certainty in 'pounds and pence'. What this means in practice is that a developer can understand the financial implications of what an on site or off site contribution looks like.

An onsite contribution can be factored into an appraisal fairly comfortably as an estimate of % of the Open Market Value can be applied (based on market evidence) - around 50-70% of the CMV. This is a well trodden benchmark taken from what the market typically delivers (albeit 70% is the ideal threshold required to make a site to be viable).

Complications arise around the 'off-site' contribution and what this figure may be in 'pounds and pence'. Without clear guidance, this ambiguity will cause delay and add risk (financial), particularly to SMEs.

Accordingly, we consider that the guidance needs to provide for a calculation that can be quantifiable from the outset. In this regard, the current SPD guidance (5% of the GDV) in some way offers this (subject to agreeing the GDV).

Option 1a therefore works in principle as a method as it is simple and offers certainty - but we note the comments made in respect that it does not yield sufficient funds to apply effectively into off site AH delivery. It would be good if evidence is presented which sets out how much the Council has received from developments via off site contributions to justify this position and to understand if the 5% figure is in fact incorrect or if it is a case that it is only small sites that contribute to this 'pot' and thus the 'pot' will always be small?

Option 1b is, based on the current SPD method and therefore suitable in theory (as above). The revised % is clearly the key area that needs to be tested and will need considerable scenario testing and careful scrutiny. It should not be biased to achieve and unduly burden smaller sites.

Option 2 is not fully understood and requires clarification. Is the Council saying the use grant funding to buy private units and purchase them back to affordable tenure? If so, this feels complicated and not a long term solution. This is not supported.

Option 3 could work. It is much the same as Option 1 and 2, but calculated in a different manner - i.e. the soft as opposed to expected values to be achieved. Again, it provides certainty, which is good, but it comes down to the rates used. In some ways, this approach mirrors CIL and provides for a fixed figure (i.e. the GDV of the site does not need to be debated). However, as with option 2, the proposed rate needs substantial scenario testing and careful scrutiny. This option could however be feasible.

As we have mentioned previously, the alternative to the above is the joint Viability Review route. This would in some ways offer the fairest way of assessing the viability of a site as it will be able to accommodate any site specific abnormal costs which cannot necessarily be factored for in scenario modelling. This route should therefore also be explored as part of the guidance.

8. DEFERRED CONTRIBUTIONS

Q8a: Which form of re-appraisal do you consider most appropriate?

- a full viability re-appraisal?
- monitoring of the sales values?
- Other

Q8b: For monitoring of sales values, do you have any suggestions on the % of uplift that should form the financial contribution?

For any re-assessment a full viability review is needed as the sales values are only one side of the delivery of a development. It may be found that build costs are also higher and therefore that needs to be factored into any re-assessment which can only be done via a full viability assessment. The guidance should however set out the expected developers profit margin in order that this is clear - we suggest this sits at 20% for smaller sites.

Q8c: Please provide comments on the timing and stages of the re-appraisal.

Within 6 months of the completion (or 95%) of the development.

Q8d: Are there any exceptions to requiring re-appraisal for deferred contributions? Please specify

Where the build programme is expected to be less than 24 months as it is unlikely that the market would have moved considerably from expected position from the original appraisal.

9. OTHER INFORMATION IN THE SPD

Q9a: Please provide any comments you have on the matters a) to m) proposed to be included in the SPD.

Broadly acceptable, to confirm part d) and what % of AH units are expected to meet the M4(3) requirement. Suggest 5% of the AH total.

Q9b: Are there any other topics the SPD needs to cover?

- Yes
- No

Q9c: If you answered 'Yes' to question 9b then please provide details.

No answer provided.

Personal Information

Full Name *

Andrew Wilford

Organisation *

Kent SME Developers Network

Contact Email *

awilford@esquiredevelopments.com

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We anticipate this consultation will be held in Spring 2026.

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Quinn Estates

1. TENURE MIX

Q1a: Should the SPD set out flexibility in the requirement for First Homes tenure following the NPPF amendment?

- Yes
 No

Q1b: Should the SPD set out different tenure mix options that would be supported without the need for a viability appraisal?

- Yes
 No

Q1c: Do you agree that the following tenure mix options should be supported without the need for a viability appraisal?

- 55% Affordable/social rent and 45% Shared Ownership
- 55% Affordable/social rent, 25% Shared Ownership and 20% other home ownership product

- Yes
 No

Q1d: Are there other tenure mix options that should be supported without the need for a viability appraisal?

- Yes, please specify in Q1e
 No

Q1e: If you answered 'Yes' to above question, please specify and set out the justification for any suggestions.

If supported by a Registered Provider and the Housing Manager there should be flexibility to allow for variation from this mix to enable delivery. Particularly where a small change would unblock a site without significant time and cost delay in completing viability review, for example a RP may be able to make a better offer at a 60/40 split or 50/50 split. If the mix alone is restricting delivery there should be discretion to support such a change, without the need for viability appraisal.

Q1f: Please provide any other comments relating to the tenure mix requirements of Policy SP5.

See above - the "need" is at the macro scale. On smaller sites there will be a need to have some flexibility to accommodate whole numbers and also RPs being able to put forward viable offers. This is more of a "delivery" issue than a pure "viability" issue.

2. MIX OF UNIT TYPES AND SIZES

Q2a: Should the SPD set out guidance on the relationship between Policies H1 and SP5, and how the housing mix should be informed by local affordable housing need in the early stages of a schemes design?

- Yes
 No

Q2b: Please provide your comments about this

It is important that a "one size fits all" approach is not taken, whereby on a village or suburban scheme there is a requirement to deliver flats and on an urban scheme there is a requirement to deliver larger units. The mix of AH should relate well to the mix of the scheme and its context. It is the allocation of a mix of sites, and the granting of permissions in different locations that should be monitored to inform/ensure that the mix of AH units that are needed is being delivered over the plan period, rather than requiring strict adherence on a site by site basis.

3. VIABILITY ISSUES

Q3a: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 1? Applicants will be required to provide a compare and contrast assessment against the Local Plan Viability Report to show where the information has changed. This must be for all and not just individual assumptions.

- Yes
 No

Q3b: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 2? Applicants should demonstrate different tenure mixes have been tested to explore if a tenure change would make 30% on-site viable.

- Yes
 No

Q3c: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 3? Applicants should present their tenure mix assessments in the appraisal to show a range has been tested and to highlight what tenure mix would provide the highest percentage of on-site affordable homes (to show if any options are close to 30%). Liaison would be needed with Council housing department to ensure that the tenure mix being tested will meet a local need, even if not fully policy compliant

- Yes
 No

Q3d: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 4? Applicants should identify the policy compliant off-site financial contribution calculations based on the approach set out in the SPD.

- Yes
 No

Q3e: Should the SPD include the suggested requirements for viability appraisals to demonstrate the requirements of Policy SP5 have been met in point 57 Applicants should show that part d of Policy SP5 has been tested and a combination of options a,b,c has been explored – i.e. part payments and part on-site delivery (for example, home ownership products on site, and rental as off-site contribution)

- Yes
 No

Q3f: Please provide any other comments in relation to the consideration of viability and affordable housing delivery?

A couple of issues to consider.
1 - sometimes it is not a viability issue "on paper" it is the mix that a RP is willing to bid at given their own stock/needs and business models and plans.
2 - Viability is significantly influenced by the requests of statutory consultees - be it KCC for education or highways for on site and off site works or contributions. The viability position for AH may not be fully understood before all such issues are resolved.

4. PRACTICALITY REASONS

Q4a: Should the SPD identify practicality exceptions to providing affordable housing on site?

- Yes
 No

Q4b: If you answered 'Yes' to question 4a, please specify what practicality exceptions these should be.

As per the new NPPF consultation, there should be an allowance for an exercise to be undertaken to see if on site can be provided on smaller schemes (say up to 50 homes), however if it cannot then a mechanism should allow for an off site contribution to be made. This should also allow for consideration of all NPPF intermediate products.

Q4c: Please provide any views you have on the minimum number of 10 Registered Providers (including the council's housing team) being suggested.

If the requirement is 10 RPs the Council should provide a list of RPs operating in the area. In our experience there are unlikely to be 10 active RPs working in the area - it would be more appropriate to have discretion for the Housing Manager to agree if less than 10, and also there needs to be a timeline/acceptance that many may not respond.

Q4d: Please provide any comments you have on whether off-site commuted sums or on-site low-cost home ownership products should be required where practicality issues are accepted.

Both should be allowable solutions - on site low cost home ownership products meet the NPPF definition of Affordable Housing. Off site contributions could allow DDC to deliver regeneration or other projects of greater benefit to the District.

5. MEETING THE 30% OF SP5

Q5a: Please state your preferred option (1-3).

- Option 1 - That to meet the policy requirements of 30% it is expected that the numbers on site will always be rounded up to the nearest whole unit
 Option 2 - Accept financial contributions to cover part units, where it is less than 0.5 of the unit. This would only apply where the resulting 30% is less than 0.5 of a unit. Those 0.5 or above, would still need to provide the rounded up whole unit amount
 Option 3 - Accept financial contributions to cover part units of all sizes (0.1 to 0.9 of a unit)

Q5b: Please state option preferred in question 5a and explain choice.

Option 3 is the fairest approach to meet need, albeit would require a simple formula to generate a sum to avoid significant cost and delay for all parties over what could be small sums.
As per option 1 - it isn't reasonable for a scheme of 11 houses to have to provide 4 units on site - that would equate to over 36% AH. The outcome of this policy, as well as option 2 will be contived applications seeking to meet whole numbers.

Q5c: Please provide any other suggestions for how the delivery of part unit requirements could be addressed.

The Council could take a simple approach whereby below 0.5 is rounded down, above 0.5 is rounded up. this would save time and cost undertaking complicated calculations and additional s106 drafting.
A scheme of 26 units - 8 affordable - 30.7%
a scheme of 25 units - 8 affordable - 32%
A scheme of 24 units - 7 units = 29.2%

6. WHEN SHOULD AFFORDABLE HOUSING DETAILS BE AGREED?

Q6a: Should the SPD require that in most cases (this would not include certain types of application such as Outline or Permission in Principle) the detail of Affordable Housing unit location, mix and tenure should be agreed with the council at pre-application stage to be submitted with the application, or at the latest application stage prior to decision?

- Yes
 No

Q6b: If you answered 'No' to question 6a, please explain why not.

This information would not be known for an outline application. An Affordable Housing Provider is more likely to be able to make an offer based on an approved RM or an application under consideration as they would need to make a bid based on the detail of the scheme. A provider would want an approved scheme and layout to bid on, and then amend via NMA if needed. Further, knowing whether such an offer is viable would depend on other costs that would not be known ahead of a RM submission.

Q6c: Should the SPD include guidance and provision for including a 'Cascade Mechanism' in decisions and S106 agreements?

- Yes
 No

Q6d: If you answered 'Yes' to question 6c, please explain.

This is an important approach to avoid expensive and time consuming legal work and provide autonomy to officers to make decisions based on evidence.

Q6e: Please provide any comments you have on the specific proposals for the cascade mechanism.

It should be as simple as possible with established elements that do not delay the progression of schemes that deliver much needed new homes.

7. CALCULATION OFF-SITE CONTRIBUTIONS

Q7a: Which financial contribution calculation option do you consider most appropriate/practical?

- Option 1a
- Option 1b
- Option 2
- Option 3
- Other

Q7b: Please set out any comments you have to explain your answer to Q7a.

This is highly complicated because GDV is a blunt tool that does not reflect development costs at all - for example contamination, foundation abnormalities, wider build costs, s106 costs etc. In short, the values don't reflect the viability of a scheme. That said, simplicity is really important and therefore an established rate would make the exercise transparent and less cumbersome.

8. DEFERRED CONTRIBUTIONS

Q8a: Which form of re-appraisal do you consider most appropriate?

- a full viability re-appraisal?
- monitoring of the sales values?
- If an existing viability appraisal has been undertaken an update is not overly complicated. Sales values do not paint an appropriate picture, when bulk

Q8b: For monitoring of sales values, do you have any suggestions on the % of uplift that should form the financial contribution?

I dont believe sales values should be used, however if they are it should be no higher than 50%.

Q8c: Please provide comments on the timing and stages of the re-appraisal.

Reappraisal can only be accurate once all units are sold - if a final unit does not sell then interest costs could significantly harm viability.

Q8d: Are there any exceptions to requiring re-appraisal for deferred contributions? Please specify

If build cost inflation has outperformed sales values?

9. OTHER INFORMATION IN THE SPD

Q9a: Please provide any comments you have on the matters a) to m) proposed to be included in the SPD.

No answer provided.

Q9b: Are there any other topic areas the SPD needs to cover?

- Yes
- No

Q9c: If you answered 'Yes' to question 9b then please provide details.

No answer provided.

Personal Information

Full Name *

Ben Geering

Organisation *

Quinn Estates

Contact Email *

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Thank you for completing this survey.

We will carefully consider all comments and feedback made at this early engagement stage and commence production of a draft version of the SPD with our preferred options set out. This draft SPD will be available for a full public consultation, for a minimum of 4 weeks, as required by legislation and set out in our SCL.

As part of this, a consultation document will be produced setting out how comments received as part of this engagement stage were considered.

We anticipate this consultation will be held in Spring 2026.

Please contact us if you have any questions or if you wish to be removed from our database. planning.policy@dover.gov.uk