Housing Needs in High Peak - Supplementary Planning Document - Adopted November 2007







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Equalities Statement

If you, or someone you know, is unable to read any Council publication, these can be provided on request in a range of alternative formats (e.g. large print, audiotape, Braille) and in other languages.

This may take a few days notice to arrange. Please contact:

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Introduction

This Supplementary Planning Document (SPD) has been prepared to accompany Policy H9 'Affordable Housing for Local Needs' of the Adopted High Peak Local Plan (March 2005) which is a "saved" policy under the new local planning system. Consequently this document does not seek to review or alter the content of the Local Plan policy. It is intended to provide guidance for its correct application, clarification of the policy wording and promote consistency of decision-making and should also be read in conjunction with other relevant policies of the Local Plan and the emerging Local Development Framework.

This SPD is being prepared under the provisions of the Planning and Compulsory Purchase Act 2004 and forms part of the emerging High Peak Local Development Framework.

This document is the first in a series of documents concerning affordable housing that the Council intends to produce under its Local Development Framework. A development plan document regarding planning policy on affordable housing is scheduled to be adopted in December 2009. After this the Council intends to review this SPD.

Further information about this document and the High Peak Local Development Framework can be obtained from:

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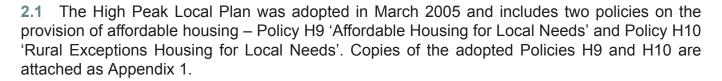


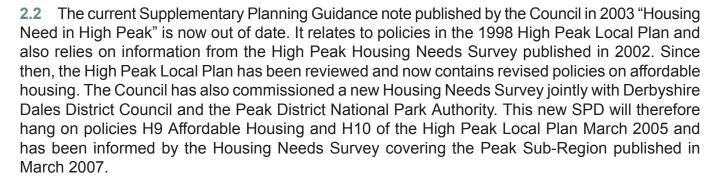


1 Policy / Strategic Context

- **1.1** PPG3 Housing has recently been reviewed and has been replaced by PPS3 Housing. PPS3 will be a material consideration when making decisions on planning applications after 1st April 2007, and may be capable of being a material consideration prior to that date.
- **1.2** PPS3 states that Local Development Plan Documents, should:
- Set an overall target for the amount of affordable housing to be provided
- Set separate targets for social-rented and intermediate affordable housing
- Specify the size and type of affordable housing that is needed
- Set out the range of circumstances in which affordable housing will be required
- Set out the approach to seeking developer contributions for provision of affordable housing
- 1.3 The new Regional Spatial Strategy for the East Midlands, which will update Regional Planning Guidance 8, has recently been out for public consultation, and objections to it are due to go to the Examination in Public in Spring 2007. It will be formally adopted in 2008. The document will include policies for the development of the region to 2026, along with the projected requirements for residential and industrial development.
- **1.4** This SPD is based on the policies from the Adopted High Peak Local Plan, which in turn reflects the policies in the currently adopted Regional Planning Strategy. For this reason, and the fact that the new RSS will not be adopted until 2008, policies from the adopted RSS8 will be used to inform this document. Future LDF documents concerning Affordable Housing (see section 3 below) will need to consider Policy 15 of the RSS which will give targets for affordable housing in the Peak, Dales and Park Housing Market Area.
- **1.5** The Derby and Derbyshire Joint Structure Plan (January 2001) requires a total of 66,900 dwellings for the period 1991–2011. Housing Policy 1 Housing Provision 1991-2011 states that within this total "provision should include appropriate amounts and types of affordable housing in accordance with assessments of housing need."
- 1.6 The East Midlands Regional Housing Strategy 2004 –2010 identifies its central housing objective to; "Ensure that the existing and future housing stock is appropriate to meet the housing needs of all the community." It further identifies affordable housing as a key issue within its action plan and includes objectives that aim to maximise the provision of affordable housing across the sub-region through the planning process.

2 The Development Plan





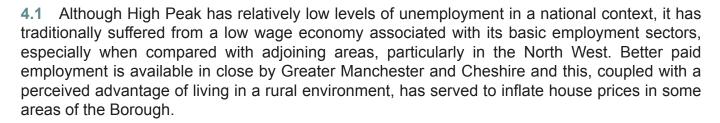




3 The High Peak Housing Strategy

- **3.1** The Derbyshire Dales and High Peak Community Strategy for 2006-2009 continues to identify affordable housing as one of the key priorities in the Joint Strategy. Working together over the last 2 years, the Local Strategic Partnership has achieved 50 affordable new homes, 29 empty properties brought back into use, 35 homes made fit in the private sector, and 14 vulnerable households accommodated. Key actions for the next three years include enabling the provision of 336 new affordable homes, bringing 126 empty properties back into use, and improving homes to meet the Decent Homes Standard.
- **3.2** This aim is also carried forward in to the Joint Strategic Housing Strategy 2005 2009. The Strategy sets out how housing need is identified and explains how that need should be met. One of the key means of addressing need and widening access and choice is through the use of planning powers. The planning system is expected to play an increasing role in the delivery of affordable housing and housing to meet particular identified needs.

4 Housing Need in High Peak



- **4.2** The 2006 Housing Needs Survey identified a need for affordable housing in all areas of the Borough. Overall the Survey has found there to be a shortfall of 317 affordable units per annum within the Borough over the next five years.
- **4.3** The survey has shown that the gap between earnings and house prices has been widening over the last five years. This, coupled with the fact that the number of affordable homes secured either through the planning system or through procuring other resources is significantly less than the annual requirements identified in the 2002 HNS, means there is still considerable affordable housing need in High Peak.
- **4.4** As a result of this identified need, three key objectives have been identified for the Affordable Housing SPD. These set out desired outcomes the Council will aim to achieve through implementation of the Development Plan:
- To provide detailed guidance on implementing High Peak Borough Council's policy regarding the provision of affordable housing, facilitating sufficient provision to meet local need.
- To promote the development of sustainable communities.
- To promote a balanced housing market.





5 The Definition of "Affordable" Housing

5.1 Annexe B of PPS3 defines affordable housing:

"Affordable Housing includes social rented and intermediate housing provided to specified eligible households whose needs are not met by the market.

Affordable housing should:

- Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regards to low incomes and local house prices.
- Include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for subsidy to be recycled for alternative affordable housing provision".
- **5.2** Previous guidance issued by the council disregarded low cost market housing as a form of affordable housing. An earlier Housing Needs Survey had demonstrated that this form of housing could not meet affordable housing need in the borough. PPS3 has now specifically excluded low cost market housing from its definition of affordable housing. As such low cost market housing will still not be accepted as a form of affordable housing in High Peak. Regardless of the requirements of PPS3, the 2006 Housing Needs Survey again provides that low cost market housing is not affordable to those in affordable housing need.

6 Priorities for Affordable Housing Provision

- **6.1** Priority will be given to securing affordable housing according to the following order of preference:
- 1. On site provision of housing to rent
- 2. On site provision of intermediate housing combined with housing to rent
- 3. On site provision of intermediate housing
- 4. Contribution (financial and/or in kind) to the provision of housing to rent on an alternative site in the locality.
- 5. Contribution (financial and/or in kind) to the provision of intermediate housing combined with housing to rent on an alternative site in the locality.
- 6. Contribution to the purchase of existing market housing and its conversion to housing for rent.
- **6.2** All of these options may be acceptable, provided that genuinely affordable housing is delivered. Financial contributions must comply with the requirements laid down in Section 15 of this SPD.



7 The Implied Price of Affordable Housing

- **7.1** The Council is looking, in schemes that are eligible, for genuinely affordable housing. Whilst it is fair to say that housing which is sold at below market values is more "affordable", this does not meet the definition of affordability given earlier. The fact remains that in order to achieve genuinely affordable housing there needs to be a significant fiscal input. It is therefore advised that developers liaise with the Council at an early stage in the development process in order that the purchase price of land can reflect these costs.
- **7.2** Government advice is that the price of affordable housing should be linked to a durable indicator. The 2006 Housing Needs Survey links price to actual weekly rents. As a generalisation, the range of income needed to afford social rent is £10,000 £17,500 with £17,500 and above needed to afford intermediate housing.
- **7.3** It should be noted that the Council is interested in the total cost of any affordable housing secured and that this will include both rent/mortgage as well as service and maintenance charges in order to ensure that the affordable housing is produced at a cost which is genuinely affordable to the occupiers.

8 Provision of Affordable Housing for Rent

- **8.1** In schemes where the affordable housing element is to include housing to be sold to a Registered Social Landlord for rent then the price of the housing to the Affordable Housing Provider (AHP) should be such that the AHP can rent the properties at appropriate levels that fall within the affordable rents identified in the Housing Needs Survey.
- **8.2** PPS3 Housing defines affordable housing for rent as:

"Rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime"... It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Housing Corporation as a condition of grant".



9 Provision of Intermediate Housing

- **9.1** In schemes where the affordable housing element is to include intermediate housing, these properties should be sold to an Affordable Housing Provider (AHP) at a price which allows the AHP to enter into agreements such that the intermediate housing can be provided at a cost to the occupier which is below open market price or rents as agreed with the council.
- 9.2 PPS3 Housing defines intermediate housing as:

"Housing at prices and rents above those of social rent, but below market price or rents, and which meet the criteria set out above [i.e.in the definition of affordable housing]. These can include shared equity products, other low cost homes for sale and intermediate rent".

10 Site Sizes and Thresholds



10.1 Policy H9 sets out a series of site size thresholds for the application of affordable housing provisions, according to the nature of the settlement where the development takes place. (see appendix 1)





11 The Number of Affordable Units

11.1 Negotiations shall be conducted to seek the provision of affordable units of a number equivalent to 30% of the total units on the site.

12 Size of Affordable Housing Units

12.1 In order to ensure that the affordable housing constructed is of a satisfactory size and suitable for the people it is intended for, the Council requires that the following table be used as a guideline for floor areas. This has been taken from Housing Corporation guidance and will be applied to all tenures of affordable housing:

Number of people	Size of Dwelling
1 person	34 sq metres
2 person	50 sq metres
3 person	62 sq metres
4 person	75 sq metres
5 person	87 sq metres
6 person	96 sq metres

Table 1 Guideline for Floor Area



13 Contribution to Provision of Affordable Housing Off-Site

- 13.1 Notwithstanding the Council's preference for provision of affordable housing on-site, in exceptional circumstances it may be appropriate for an applicant to make a financial contribution in lieu of on-site provision. Such contribution must be robustly justified and designed such that they will contribute to the creation of mixed and balanced communities in High Peak. The amount of contribution will be equivalent to the type, size and number of properties that would have been required to be provided on-site. In these cases, the following procedure will be used to calculate the contribution.
- 13.2 Previously, the calculation used by the council to determine financial contributions relied upon the Housing Corporations Total Costs Indicators (TCI's). However, TCI's are now defunct.
- **13.3** The costs for different house types will therefore be gleaned through examination of actual schemes and bids to the Housing Corporation identified through consultation with the council preferred urban partners and the council will calculate off-site contributions in the following way:
 - A. Number of units being provided within the development (gross)
 - B. Number of Affordable Units = $A \times 30\%$.
 - C. Agree mix of affordable units that would have been required on-site within A and assess the total cost in consultation with the council's identified urban partners
 - D. Identify current grant rate in High Peak through consultation with our urban partners
 - E. Commuted Sum is Total Cost (C) x current grant rate (D)
- 13.4 The Borough Council will administer the sum payable and use it as a Local Authority Grant to provide affordable housing in the locality of the development site or, if there are no suitable sites available, to provide affordable housing elsewhere in the Borough. This will be done in partnership with the councils identified affordable housing providers partners, or other affordable housing providers, provided that the council can be satisfied that good management and ownership can be ensured.

14 Tenures



- Social Rented housing is still by far the most important of the tenures required and should account for 80.5% of provision;
- Shared Ownership can account for 19.5% of affordable housing need at an open market value of 50%;
- Sub Market Renting is affordable to 11.6% of those in need if provided at 75% of Open Market Rents;
- No more than 3.3% of households can afford discounted sale housing and the level of discount will need to be above 25% if this kind of provision is to play any part in affordable housing supply in the Borough
- Negotiations of affordable housing will therefore be based on the split of tenures as identified in the Housing Needs Survey.







15 Principles of Design and Appearance of Affordable Housing

15.1 Where affordable housing is to be provided on site, the following principles should be applied to its design, layout and appearance:

Type and Size of Properties

15.2 In order to ensure that the affordable housing meets local housing needs the type and size of the property to be provided will be based upon advice from the Strategic Director of Planning and Regeneration and will be based upon information contained within the Housing Needs Survey.

Design

15.3 In line within PPS3 - Housing, all new housing and residential environments should be well designed and should "create place, streets and spaces which meet the needs of people, are visually attractive, safe, accessible, functional, inclusive, have there own distinct identity and maintain and improve local character". Policy GD4 of the High Peak Local Plan promotes this ethos. As a consequence, all developments of or including affordable housing in the Borough will be required to satisfy these requirements and be well designed. There should be no difference in the quality of the design or materials between the market housing and the affordable housing. The council has produced other SPD's regarding Residential Design and Landscape Character in order to promote local distinctiveness. Developers will need to make reference to these important documents in order to create schemes that reflect the local characteristics of High Peak.

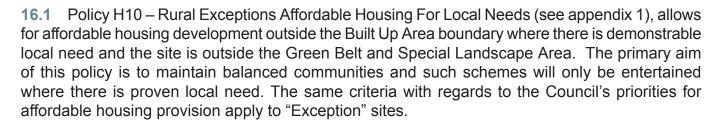
Sustainable Construction

15.4 The council is committed to requiring a proportion of energy demand on site being met from renewable resources and has recently published a guidance note regarding Sustainable Design and Construction. This pulls together existing Local Plan policies on the subject and asks developers to demonstrate how there developments comply by producing a Sustainability Statement.

Layout, Distribution and Housing Mix

15.5 PPS3 also advocates that local planning authorities should encourage wider housing opportunity and choice and a better mix in the size, type and location of housing with a view to creating mixed and balanced communities. The need to provide affordable housing does not absolve the developer from this requirement. The affordable housing element of any residential development will play a role in achieving this mix. Affordable housing should, therefore, be integrated into the design and layout of the residential environment created and should not be relegated to the least desirable parts of the site. With the exception of flats, the Council expects that the affordable housing element of a residential scheme be laid out such that no more than four affordable dwellings are grouped together and that there is an even distribution of affordable housing throughout the overall scheme.

16 Rural Exceptions



16.2 "Local need", in the context of this policy, is applied to the following:

- people residing for at least 5 years in the village or nearby village and currently living in accommodation which is currently overcrowded or otherwise unsatisfactory;
- people residing for at least 5 years in the village or nearby village and forming a household for the first time;
- people not now resident in the village but who have a strong local connection with it including a long-standing residence;
- people who have an essential need arising from age or infirmity to live close to other people who have a long-standing residence in the village;
- people who have an essential need to live close to their work in the village or nearby village.

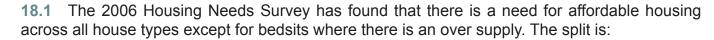
16.3 For "Exceptions" housing to work, it is likely that land will need to be provided at little or zero cost. "Exceptions" land owners may have to accept a land valuation which is substantially less than the market value as housing land, but more than its agricultural worth.



17 Housing for Specific Groups / Key Workers

- 17.1 The 2006 HNS has identified that there is a high proportion of households containing persons with special needs who are living in problem housing throughout the sub-region.
- 17.2 In addition to these special needs there are other specific groups which have identified housing requirements. In Buxton, the movement of the University of Derby in to the town centre has generated additional demand for student accommodation. The University is addressing this need through dedicated developments, but access problems at their main site may mean that additional capacity is required and new sites need to be identified. Elsewhere in Buxton the low rate of house building in the 1980's and early 1990's has meant the choice and variety of new housing is limited. This has lead to a perception that skilled workers are difficult to recruit and business investment affected.
- 17.3 The 2006 HNS has examined the housing needs of rural key workers and this information will contribute to a future DPD on the subject of Affordable Housing under the LDF process.
- 17.4 To meet the housing needs of all the community, the Council may negotiate with developers to secure housing for specific groups, where that need is clearly identified. Depending on the need involved this may include both affordable housing (on eligible sites) or market housing. The location and type of some developments may mean that they are unsuitable for special needs (as opposed to more general) affordable housing. Consequently one of the priorities for deploying cash resources arising from the planning process will be the provision of special needs housing, where a particular need is identified. The Council recognises that additional costs may be incurred in providing special needs accommodation and will take this into account during negotiations for such development.

18 Achieving a Suitable Mix of Affordable Housing Types



House Type	% Requirement
Bedsit	-8%
1 bed	6%
2 bed	60%
3 bed	40%
4 bed	2%

Table 2 Need for Affordable Housing (House types)

18.2 Recent experience of the Council has shown that the Affordable Housing Providers preference is for two and three bedroom dwellings as this allows greater flexibility in terms of who can use the property and thus the chance of 100% occupancy is easier to achieve. Given this, and the findings of the HNS it is intended that negotiations about affordable housing should be based on a requirement for predominantly two and three bed accommodation with an emphasis on two bed units.





19 Achieving a Suitable Mix of General Market Housing Types

- **19.1** The Housing Needs Survey 2002 also looked at the general housing market in the Borough. It examined the overall shortage of private sector housing in the area over the next five years and found that there is a shortage of smaller one and two bedroom owner-occupied properties.
- 19.2 The 2006 HNS has found that the trend to oversupply of 3 bed accommodation has continued and that there is a shortfall in the supply of 1 and two bed dwellings across the sub region.
- **19.3** The findings are contrary to what housing developers coming to High Peak want to build, as there is often a tendency for them to concentrate on building larger three and four bedroom houses. Such a profile of construction often attracts more households from outside the High Peak area.
- **19.4** The Council intends to employ the findings of the High Peak Housing Needs Survey when negotiating the mix of general housing types in new residential developments in order to ensure that they reflect locally generated general housing need.

20 Housing Negotiations



- 1. Negotiations shall be based upon Policy H9 'Affordable Housing for Local Needs' and Policy H10 'Rural "Exceptions" Affordable Housing for Local Needs' of the High Peak Local Plan (see Appendix 1)
- 2. Negotiations will be carried out on the assumption that the development site has been bought at a realistic price which reflects all the known development constraints, (ground conditions, infrastructure, services and planning related obligations etc) including the need for the provision of affordable housing. Only particular site costs over and above those normally associated with development in High Peak will be considered in negotiations. The Council will negotiate taking into account the economics of provision and the need to achieve a successful housing development.
- 3. The size, type, style and tenure of affordable housing at any site will be negotiated on the basis of the particular need in that and the characteristics of the site.
- 4. Where a contribution is made to an alternative site this must be by mutual agreement with the Council, otherwise on site provision should be made. The Council will negotiate for the alternative site to be in the locality of the application site. If such a site cannot be found then the Council will seek a financial contribution in line with section 13 of this Guidance.
- 5. Financial contributions will be based on the number of dwellings being provided on the application site using the calculation outlined in section 13 of this Guidance. In the first instance the Council will seek to deploy the financial contribution received in the locality. If no schemes for affordable housing are available to contribute to in the locality of the application site then the Council will deploy the monies received elsewhere in the Borough.
- 6. The size, type and tenure of affordable homes provided on a site will be negotiated on the basis of the particular need in that locality, as identified by the Housing Needs Survey. For example, if the need in the area is for family housing, it will not be acceptable to provide small starter homes at the bottom end of the housing market to meet the affordable housing requirement for that development.
- 7. In the interests of achieving efficiencies, quality services for affordable housing residents and promoting sustainable communities, the Council will seek to ensure that the affordable housing is managed locally. The Council manages a list of preferred partners that is subject to periodic review. An up to date list can be obtained from the Council's Strategic Housing Team.



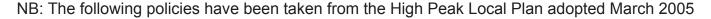
21 Conditions and Planning Obligations

- **21.1** Depending on the circumstances of each case, the wording of conditions and planning obligations will vary. Any planning obligations concerning affordable housing should be drawn up and signed by the parties concerned prior to the issue of consent. Outline applications will also include a condition relating to affordable housing.
- **21.2** Circular 05/2005: Planning Obligations, states that:

A planning obligation must be:

- i. relevant to planning;
- ii. necessary to make the proposed development acceptable in planning terms;
- iii. directly related to the proposed development;
- iv. fairly and reasonably related in scale and kind to the proposed development; and
- v. reasonable in all other respects.
- **21.3** The following list gives an indication of the type of issues that will be addressed by clauses within planning agreements for affordable housing. It is not an exhaustive list but the planning agreements are likely to contain the following:
- Ensure that the affordable dwellings are transferred to an Affordable Housing Provider (AHP)
 at a price that will allow the AHP to rent or enter into other tenure agreements at affordable
 levels;
- 2. State the number and types of units and specify their location on a plan;
- 3. Ensure that the affordable dwellings are built to suitable specification;
- 4. Ensure a suitable financial contribution in lieu of on-site provision where this approach is agreed by the Council;
- 5. Ensure that the rented accommodation is genuinely affordable;
- 6. Ensure that the intermediate housing is available at a cost which is below open market value or open market rents as suggested in the HNS;
- 7. Ensure that the affordable accommodation is occupied by local people in housing need;
- 8. Ensure that monies gained from stair-casing sales in shared ownership housing is used to provide affordable housing in the area of need identified;
- 9. Prevent completion/occupation of a specified proportion of the general housing until the affordable housing has been built/occupied;
- 10. Ensure the affordable housing element in a scheme remains affordable in for the life of the development.

Appendix 1 Local Plan Policies Relating to Affordable Housing



H9 - AFFORDABLE HOUSING FOR LOCAL NEEDS

THE COUNCIL WILL NEGOTIATE WITH DEVELOPERS TO ENSURE THE PROVISION OF A PROPORTION OF AFFORDABLE HOUSING FOR LOCAL NEEDS IN NEW RESIDENTIAL DEVELOPMENT SCHEMES, INCLUDING WINDFALL SITES, CONVERSIONS AND RENEWALS OF EXISTING OR RECENTLY EXPIRED PERMISSIONS. UNDER THE TERMS OF THIS POLICY THE FOLLOWING THRESHOLDS APPLY:

IN THE CASE OF SETTLEMENTS OF LESS THAN 3,000 POPULATION:

- SITES OF 0.17 HECTARE OR MORE; OR
- DEVELOPMENTS OF 5 DWELLINGS OR MORE,

AND ELSEWHERE:

- SITES OF 0.5 HECTARES OR MORE; OR
- DEVELOPMENT OF 15 DWELLINGS OR MORE.

NEGOTIATIONS WILL BE UNDERTAKEN ON THE BASIS OF THE FOLLOWING CRITERIA:

- THE LEVEL AND TYPE OF AFFORDABLE HOUSING NEEDED IN THE AREA, HAVING REGARD TO THE COUNCIL'S MOST UP-TO-DATE ANALYSIS; AND
- THE SUITABILITY OF THE SITE TO ACCOMMODATE A RANGE OF HOUSE TYPES AND SIZES, INCLUDING A PROPORTION OF AFFORDABLE HOUSING; AND
- PROVEN SITE DEVELOPMENT CONSTRAINTS, INCLUDING THE LEVEL OF NEW INFRASTRUCTURE REQUIRED; AND
- THE PROXIMITY OF LOCAL SERVICES AND FACILITIES AND ACCESS TO PUBLIC TRANSPORT.

WHERE A SITE IS CONSIDERED SUITABLE FOR AN ELEMENT OF AFFORDABLE HOUSING, RATHER THAN MAKE DIRECT PROVISION ON THE LAND ITSELF IT MAY BE APPROPRIATE TO MAKE A CONTRIBUTION TO AFFORDABLE HOUSING PROVISION ON A DIFFERENT SUITABLE SITE IN THE AREA IN ITS PLACE.

CONDITIONS WILL BE IMPOSED, AND/OR PLANNING OBLIGATIONS OR THE INVOLVEMENT OF REGISTERED SOCIAL LANDLORDS SOUGHT, TO ENSURE THE BENEFITS OF AFFORDABLE DWELLINGS FOR LOCAL NEEDS WILL CONTINUE FOR INITIAL AND SUBSEQUENT OCCUPIERS. CONDITIONS WILL BE IMPOSED ON OUTLINE APPROVALS TO ENSURE THAT APPROPRIATE PRO RATA PROVISION IS MADE AT RESERVED MATTER STAGES.

H10 - RURAL 'EXCEPTIONS' AFFORDABLE HOUSING FOR LOCAL NEEDS







Appendix 1 Local Plan Policies Relating to Affordable Housing

WHERE THERE ARE NO SUITABLE OPPORTUNITIES WITHIN THE BUILT-UP AREA BOUNDARY FOR AFFORDABLE HOUSING TO MEET LOCAL NEEDS, PLANNING PERMISSION WILL BE GRANTED EXCEPTIONALLY FOR SMALL RESIDENTIAL DEVELOPMENT SCHEMES ADJOINING THE BUILT-UP AREA BOUNDARY OF VILLAGES, PROVIDED THAT:

- THE DEVELOPMENT WILL MEET A DEMONSTRABLE LOCAL NEED FOR AFFORDABLE HOUSING; AND
- THE SITE LIES OUTSIDE THE GREEN BELT AND SPECIAL LANDSCAPE AREA

CONDITIONS WILL BE IMPOSED, AND/OR PLANNING OBLIGATIONS OR THE INVOLVEMENT OF HOUSING ASSOCIATIONS SOUGHT, TO ENSURE THAT THE BENEFITS OF AFFORDABLE DWELLINGS FOR LOCAL NEEDS WILL CONTINUE FOR INITIAL AND SUBSEQUENT OCCUPIERS.