

**TAUNTON DEANE BOROUGH COUNCIL
AFFORDABLE HOUSING SPD – ADOPTED MAY 2014**

**AFFORDABLE HOUSING
SUPPLEMENTARY PLANNING
DOCUMENT**

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1.1 Introduction

The purpose of the proposed Supplementary Planning Document (SPD) is to provide greater detail on Policy CP4 Housing in the Council's Core Strategy 2011 - 2028. The guidance within the SPD is intended to be used in decision making relating to planning applications that include residential development, where an affordable housing contribution is to be sought.

Policy CP4 aims to ensure that affordable housing is provided as part of all development schemes which provide five or more net additional dwellings. The policy states that 25% of all new housing should be in the form of affordable units.

The type and size of the affordable housing units to be provided should fully reflect the distribution of property types and sizes in the overall development.

Affordable housing is currently defined in Annex 2 of National Planning Policy Framework. A copy of current definitions is included in Appendix 1.

1.2 Affordable Housing Threshold

25% of all new housing should be in the form of affordable units. Affordable Housing will be sought on sites of 5 or more net additional dwellings.

Affordable Housing maybe secured via on-site or off-site affordable housing provision, whether provided in-kind or an equivalent financial contribution.

1.3 Location

Where it is provided on site, affordable housing should be located on the same site as and be an integral part of the development. The practicalities of managing and maintaining units will be taken into account when agreeing the appropriate spatial distribution of units on the site.

1.4 Tenure

The Council will seek a tenure split of 60% social rented housing and 40% intermediate housing or Affordable Rented on affordable housing provision of 3 affordable dwellings or more.

This tenure mix was identified in the evidence base which informed the adopted Core Strategy: Fordhams Locally Balanced Housing Projections (2010, 2011).

The 40% can be intermediate housing or Affordable Rented accommodation, in line with the definitions in the NPPF (see Appendix 1).

The unit types should reflect the mix of the overall development.

On schemes yielding 3 or fewer affordable dwellings the Council will give consideration to seek a financial contribution in lieu of providing the affordable housing onsite. This will be on a scheme specific basis.

In all cases, either a partial contribution will be sought or the affordable housing unit will be rounded up to the next whole unit to provide any overall provision of 25% affordable housing.

All financial contributions will be ring fenced for expenditure to develop affordable housing within the Borough.

1.5 Affordable Housing Scheme

Proposals involving affordable housing should be discussed at the earliest opportunity with the Borough's Housing Enabling Lead as part of pre-application discussions.

The affordable housing scheme is to be agreed in writing by the Housing Enabling Lead at the Council.

The scheme must include:

- The location and layout of the affordable housing
- The mix and anticipated tenure of the affordable housing

The Council is keen to use Planning Performance Agreements (PPA) as a mechanism for managing large scale developments. The approach to affordable housing should be included in any PPA.

1.6 Registered Providers

The Council operates an Affordable Housing Development Partnership which delivers affordable housing in the Borough. A list of the Council's Approved Partners can be viewed on the website.

1.7 Site Viability

Policy CP 4 seeks 25% affordable housing provision and states that when assessing proposals the Council will have regard to the economics of provision.

In instances where applicants claim that full or partial delivery of the affordable housing as required by CP4 is not possible on viability grounds, the Council, through the Housing Enabling Lead, will consider in the first instance a revised tenure split and

unit types for the development. Consideration will also be given to additional costs attributable to meeting the Design, Quality and Sustainability Standards referred to in section 1.11.

In the event that viability issues cannot be resolved through changes to the tenure and/or unit type, the applicant will be expected to submit a viability statement. Ideally this should be completed as part of the pre-application process prior to the submission of the planning application.

In such development proposals where the applicant considers that full or part delivery of affordable housing is not possible, the Local Planning Authority will expect the application for planning permission to include detailed calculations and submissions to enable an assessment of viability to be carried out. This will prevent delays to determination or the prospect of refusal of planning permission.

Applicants should have their figures independently assessed using the services of the Council's preferred independent assessor prior to submitting them to the Council. This open book approach will enable any affordable housing contribution to be assessed and agreed prior to the submission of a formal planning application. In this way data which the applicant may regard as commercially sensitive will remain outside the public domain.

Pursuit of this approach by applicants will assist in the efficient consideration of planning applications. The applicant will be expected to meet the costs of the Council's preferred independent assessor.

1.8 Off site provision

In exceptional circumstances, where the Council agrees that affordable housing can be provided off-site, its location will be sought in the following priority order taking into account local need and site availability:

- Adjacent to the development
- Elsewhere within the Parish (or Taunton urban area in the case of the unparished area)
- Elsewhere in the Borough.

It is expected that such off-site provision will accommodate the same number and type of units that would otherwise be required on the application site.

1.9 Financial Contribution

The Council will likewise only accept financial contributions in-lieu of on-site provision in exceptional circumstances. In such cases the applicant should set out a detailed

statement alongside their application outlining the reason or reasons why on-site provision is not considered to be appropriate.

Where the Borough Council agrees that a financial contribution in lieu of on-site provision of affordable housing would be acceptable, the contribution will be calculated through the Taunton Deane Borough Council Financial Contribution Calculator system.

The ‘contribution’ made by a developer as a commuted sum is the assessed difference in residual value of a 100% market housing scheme and a scheme with the policy requirement for affordable housing (or a lesser percentage where this is justified by viability considerations).

Residual value is the difference between the total scheme revenue (of the market and affordable housing) and the cost of the schemes (including a return to the developer). For the purposes of assessing a commuted sum, the price paid for a site is not part of the calculations.

The Council will use the financial contributions in the following ways:

- Fund the provision of new affordable housing through Registered Providers;
- Purchase land for new affordable housing schemes either directly by the Council or through Registered Providers;
- Fund activities relating to the delivery of affordable housing.

1.10 Exception Sites

The Council intends as far as possible to plan for meeting affordable housing needs within or adjacent to rural settlements by identifying and prioritising sites for housing development through the site allocations process.

Within the adopted Core Strategy, Development Management Policy DM2, Development in the Countryside states under point 6 that Affordable Housing will be supported outside of defined settlement limits if:

- a. adjoining settlement limits, provided not suitable site is available within the rural centre;
- b. in other locations well related to existing facilities and to meet an identified local need which cannot be met in the nearest identified rural centre.

The National Planning Policy Framework recognises that on occasion it may be appropriate to permit the development of affordable homes on sites that would otherwise not be released for housing development that is ‘exception sites’.

The Council will expect these developments to be small scale and should:

- Meet or help to meet a proven and specific local need for affordable housing in the Parish or adjoining rural Parishes, which would not otherwise be met. Local housing needs will need to be demonstrated via an up to date Parish survey. The cost of the survey is to be borne by the applicant.
- Be within or adjacent to the settlement boundary, well related to existing community services and facilities and sympathetic to the form and character of the village.
- Consider all available sites around a settlement in order to identify the most suitable site. The development should be of an appropriate size as not to have an overbearing impact on the settlement or the countryside.
- Arrangements will be secured to ensure that initial and subsequent occupancy of the dwellings is restricted first to those having an identified local need for affordable housing through the use of appropriate safeguards, including planning conditions or Section 106 obligations.
- In the event that a small proportion of cross subsidy through open market housing is required to facilitate the provision of the remaining affordable housing to meet an identified local need, this will need to be discussed with the planning officer and housing enabling lead prior to submitting a planning application. A detailed statement, including viability information independently verified at the applicants cost by the Council's preferred independent assessor should be submitted with the planning application.

1.11 Design, Quality and Sustainability Standards

Policy CP4 expects the delivery of mixed, balanced and sustainable communities with affordable housing will be integrated with market housing.

In order to achieve a successful development the affordable housing should not be visually distinguishable from the market housing on site in terms of build quality, materials, architectural details, levels of amenity space, parking provision and privacy. It should be fully integrated with the market housing and distributed across the site or in clusters distributed throughout the development.

The affordable housing should be built to meet the latest Homes and Communities Agency Design and Quality Standards including the relevant Code for Sustainable Homes level requirement applicable or such Standards which may supersede at the date of approval of the full application or reserved matters application. These Standards can be viewed on the Homes and Communities Agency website (<https://www.gov.uk/government/organisations/homes-and-communities-agency>).

Developers are strongly advised to consult with the Council's Registered Provider Partners at an early stage to ensure that the design of affordable housing units will meet these Standards.

1.12 Delivery – Phasing

The Council will expect timely delivery of the affordable housing element of implemented schemes.

Where ever possible developers should ensure that they are in contract with an approved registered provider prior to commencement of the development on site.

1.13 Service Charge

Any service charges applicable to affordable housing are to be agreed with the Registered Provider at the earliest opportunity.

If in the course of the negotiations it is deemed by the Registered Provider that the proposed service charge is unaffordable, the developer should then liaise with the Borough's Housing Enabling Lead to resolve this matter.

1.14 Specialist residential development

The requirement for affordable housing as set out in CP4 extends to all types of residential development including retirement flats. A retirement flat comes within the same use class as residential (class C3) and is therefore subject to the same policy requirement to provide 25% affordable housing on schemes of five or more net additional dwellings.

Care homes, residential and nursing homes (class C2) that do not provide individual units of self-contained accommodation are not required to provide affordable housing.

For example, developments of student accommodation, in which the units are not self-contained (where each unit shares a kitchen or bathroom), will not be expected to include provision for affordable housing. Where student accommodation units are self-contained, they will be treated in the same way as general needs housing and the developer will be expected to provide 25% affordable housing.

Within schemes which include 25 units or more affordable housing provision, the Council will seek a 10% provision of fully adapted disabled units within the affordable housing. These homes should comply with a recognised and approved wheelchair design guide.

1.15 Housing Need

The Council will refer to Housing Needs data held within the Choice Based Lettings System (Homefinder Somerset) in the first instance.

In the event if further housing needs information is deemed necessary by the Borough's Housing Enabling Lead, the applicant will be expected to provide a local Housing Needs Survey for approval at their own cost.

Housing Needs Surveys should be undertaken through close liaison with the Parish Council and Housing Enabling Lead and should be of a standard to provide robust evidence.

Exception sites will require the local housing need to be demonstrated through an up to date Parish Survey.

1.16 Local Connection

A local connection clause will be included in S106 agreements in relation to all schemes outside the Taunton and Wellington urban area to ensure that the Parish which is accommodating the development has priority access to the affordable homes which can contribute towards absorbing the Parish's housing need.

Where a scheme gives rise to a requirement for 25 affordable homes or more on one site a local connection clause is not required.

All Exception Sites will include a Local Connection clause.

1.17 Occupancy

Affordable housing for social rent and Affordable Rent secured through planning obligations will be allocated in accordance with the Choice Based Lettings System, Homefinder Somerset or such other register or scheme that may supersede the Homefinder Somerset Register.

Homefinder Somerset is the housing register of persons who have registered for and require affordable housing in the County of Somerset. It is jointly maintained by the five local authorities of Somerset being Taunton Deane Borough Council, Sedgemoor District Council, South Somerset District Council, Mendip District Council and West Somerset Council and can be found at <http://www.homefindersomerset.co.uk/>.

In the first instance, applicants for intermediate housing secured through the planning obligations will be taken from either Homefinder Somerset register or the Homebuy Agent list or such register of list that may supersede.

The Homebuy agent list is a list of applicants who are assessed as eligible to acquire Intermediate Housing properties from the relevant Registered Provider of Affordable Housing. It is compiled and maintained by the regional agent for the South West of England appointed by the Homes and Communities Agency.

In exceptional circumstances and in the event of there being no one available on the Homefinder Somerset Register or Homebuy agent list, any person approved in writing by the Housing Enabling Lead (such approval not to be unreasonably withheld).

Appendix 1 - National Planning Policy Framework Affordable Housing Definitions

Annex 2 – National Planning Policy Framework – March 2012

Affordable housing

Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

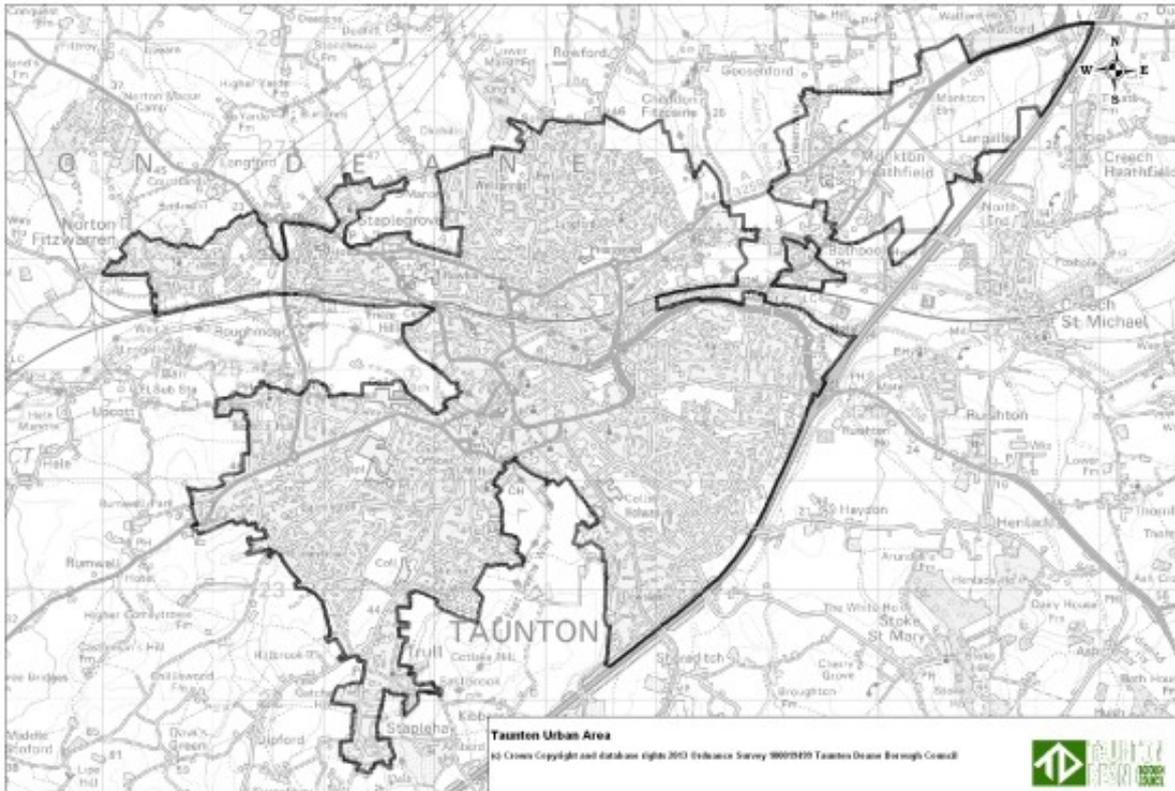
Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

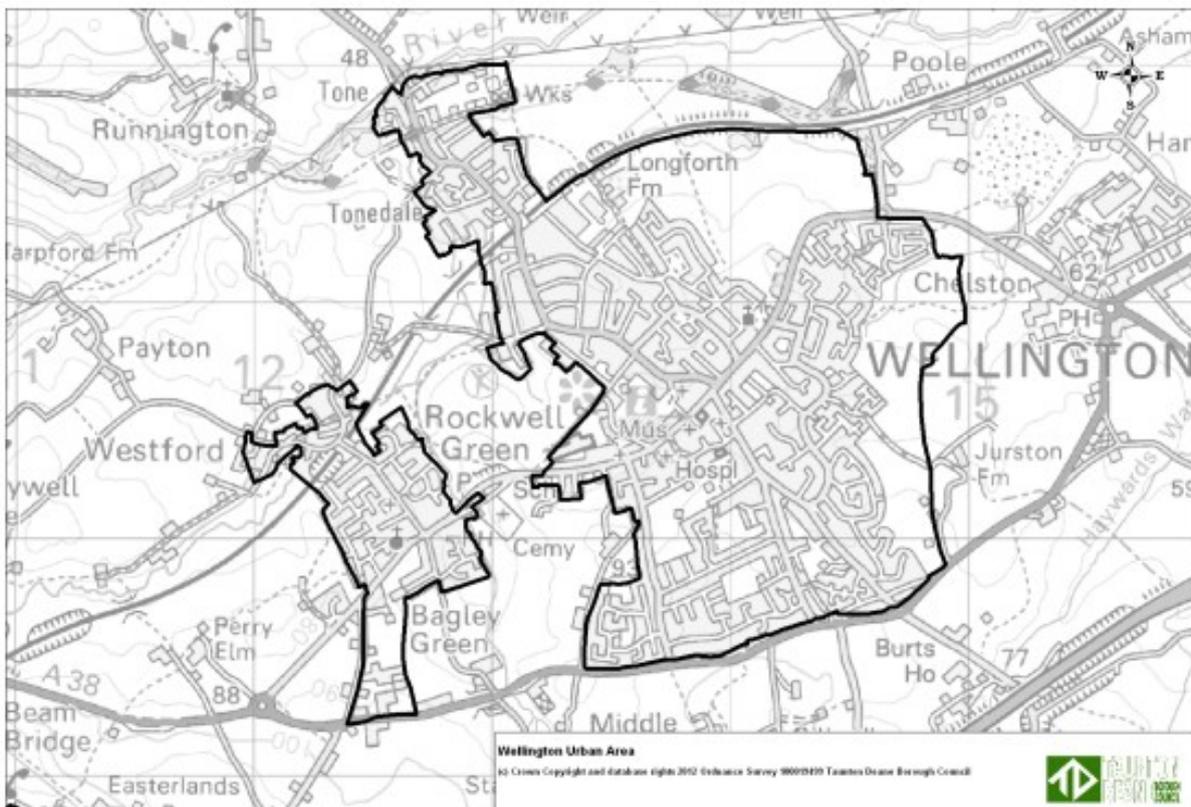
Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

Appendix 2 – Taunton and Wellington Urban Area Maps

Taunton



Wellington



If you require further information please contact:

Housing Enabling,
Taunton Deane Borough Council,
The Deane House, Belvedere
Road, Taunton, TA1 1HE

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