
Part 2 Section 1

Affordable Housing for Local Needs

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Affordable Housing for Local Needs

Justification

2.1.1 The detailed policy basis and justification for seeking developer provision or contributions in respect of Affordable Housing for local needs is set out in:

- National planning policy guidance (e.g. Planning Policy Statement, 'Housing' (PPS3));
- The current development plan (including Policy H3 and paragraphs 13.43 to 13.49 of the emerging Regional Spatial Strategy, RSS - entitled 'The Yorkshire and Humber Plan'); and
- Policies H4 and H11 of the saved Selby District Local Plan (SDLP).

Land Use

2.1.2 Only developments involving residential units will normally be considered for developer provision or contributions. This includes sites for mixed-use developments with a domestic residential component. The provision will almost always be in the form of the construction by the developer of Affordable Housing for local needs for rent or sale.

Thresholds

2.1.3 The types of site/development where the District Council will seek the provision of a proportion of the proposed total number of dwelling units to be Affordable Housing for local needs, fall into two categories:

- The major category will be, all those developments where 15 dwellings or more are proposed, or where a site or an area of land that is part of a larger site of 0.5 hectares or more (net – as defined in PPS3 – Housing) is proposed for development for housing.
- The second category will be the sites for small-scale Affordable Housing schemes, proposed for development in accordance with SDLP Policy H11 (Rural Affordable Housing for local needs as an exception to Policy H9, i.e. outside defined Development Limits).
Note: All dwellings on such 'H11 sites' must be Affordable Housing.

2.1.4 In assessing whether a proposed development or a site is eligible for seeking the provision of Affordable Housing for local needs, the number of dwellings and the site area specified in this guidance will apply to or take into account the cumulative number of dwellings to be constructed on a site or development or the cumulative area to be developed for housing. For example, where a development is made up of two or more phases, or is the subject of two or more separate planning applications, the total number of dwellings and/or the total area of land to be developed for housing will be the basis for determining whether provision will be sought. Developers should therefore be aware that the Local Needs Affordable Housing 'requirement' cannot be avoided by dealing with a site through more than one planning application.

Methodology

- 2.1.5 The Council has a long-established policy of seeking Affordable Housing provision in connection with new housing schemes. This is set out in general terms in Policies H4 and H11 of the SDLP. However, in accordance with national planning policy guidance and the approved and emerging RSS, the Council has kept the housing needs information and policies relating to Affordable Housing for local needs for Selby District up-to-date.
- 2.1.6 A comprehensive review of housing needs information has been carried out and the findings are set out in the Housing Needs Study¹ (HNS05). Based on the analysis and assessment of housing need in Selby District in the HNS05 the Council has lowered the thresholds, in terms of numbers of dwellings and the size of site for determining whether Affordable Housing for local needs will be sought, and has increased the amount of Affordable Housing, as a proportion of the total number of dwellings proposed, to be provided (as set out in paragraph 6.3 above). The interim policy guidance on Affordable Housing for local needs, approved by the District Council in June 2005, on the basis of evidence of housing need in the HNS05, has been up-dated and expanded in this SPD. The new guidance is based not only on the results of the findings of the HNS05, but also upon up-to-date and emerging national and regional policies.
- 2.1.7 The basic objective of the Council's policy is for developers to provide a contribution through the construction of new dwellings ready for occupation on eligible sites (which are then transferred to an RSL). The level of contribution that will be sought is 40% of the total number of dwellings proposed for the site.
- 2.1.8 The details of such matters as:
- what type of Affordable Housing for local needs should be provided, e.g. size, tenure and mix,
 - when the Affordable Housing for local needs should be constructed relative to the timing of the development as a whole, and
 - what the cost or price of the Affordable Housing for local needs should be, whether that be relative to the prevailing price of open market housing or a rent level typical of social sector rented housing, will be established through a housing needs assessment carried out by the Council.

¹Selby District Council - June 2005. The Executive Summary is available free and the Main Report at a cost of £10.00 plus £2.00 first-class postage or £1.50 second-class postage. Please contact the Planning Policy Team on 01757 292063. The Executive Summary is also available for free download from the www.selby.gov.uk.

2.1.9 The precise number and type of Affordable Homes for local needs to be provided on each site, will be a matter for negotiation between the developer and the Council based on the latest information relating to factors such as:

- an assessment of local housing needs (including special needs),
- income data,
- the latest housing cost/market information,
- information from housing providers (usually a Registered Social Landlord),
- opportunities for providing the local housing need elsewhere,
- the overall housing mix proposed for the site, and
- the economics of provision.

2.1.10 In respect of the last factor taking account, if justified, of exceptional circumstances relating to a site or development the cost of abnormal costs, counting 'unknown' infrastructure and planning requirements (together with the type and level of other development contributions relating to the site) and other exceptional circumstances. The onus will be on the developer to clearly and convincingly demonstrate that exceptional circumstances exist and are material and significant.

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Planning Guidance for Affordable Housing for Local Needs

1. Introduction

- 1.1 A key objective for the Government is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live (Planning Policy Statement 3, Housing, 2006, Para 9). To help meet this objective, the planning system is expected to deliver a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas (PPS3 Para 10).
- 1.2 Meeting the housing needs of local people and ensuring a sufficient variety of house types and sizes to achieve mixed and balanced communities is a priority objective of the Council. The commitment to facilitating the provision of Affordable Housing reflects the Council's corporate approach as embodied in its Housing and Community Strategies and planning policies.

Purpose

- 1.3 The Selby District Local Plan (SDLP) establishes the policy framework to ensure local needs Affordable Housing is provided through the planning system. The purpose of this SPD is to provide detailed guidance and practical advice to supplement the policies contained in the Local Plan to ensure that they are consistently and effectively implemented.
- 1.4 The Council's ability to negotiate local needs Affordable Housing provision on development sites is governed by:
- Government policy in PPGs, PPSs and Circulars;
 - The approved and emerging Regional Spatial Strategy; and
 - The statutory Policy H4 (and H11) in the adopted Selby District Local Plan.
- 1.5 A further purpose of this guidance is therefore to set out the contents of the above advice in detail and then explore the implications for dealing with residential applications. This planning guidance explains how the Council will implement policy by setting out the range of factors which can legitimately be taken into account when negotiating the precise amount, mix, type and tenure of local needs Affordable Housing as part of a market scheme.

2. National Statutory Basis

- 2.1 Planning Policy Statement 3 (Housing, 2006) and accompanying Policy Statement, "Delivering Affordable Housing" (November 2006) published by Central Government (DCLG²) provide the national policy context.

Summary of national affordable housing guidance:

- 2.2 The Government is committed to providing high quality housing for people who are unable to access or afford market housing. The government is seeking to widen opportunities for home ownership and ensure high quality housing for those who cannot afford market housing, in particular those who are vulnerable or in need. The Government defines Affordable Housing as including social rented and intermediate housing (see below).
- 2.3 PPS3 states that Local Planning Authorities should set an overall (i.e. plan-wide) target in Local Development Documents for the amount of affordable housing to be provided which should reflect an assessment of the likely economic viability of land for housing within the area. This should also reflect the new definition of Affordable Housing provided in Annex B to the PPS:
- 2.4 PPS3 says that Affordable housing is:

"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 regard to local 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 the subsidy to be recycled for alternative affordable housing provision."

- 2.5 PPS3 states Social-rented housing is:

"Rented housing owned and managed by local authorities and Registered Social Landlords for which guideline target rents are determined through the national rent regime. The proposals set out in the 'Three Year Review of Rent Restructuring (July 2004) were implemented as policy in April 2006. It may 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."

- 2.6 PPS3 says Intermediate Housing is:

² Department of Communities and Local Government. Documents are available on their website at www.communities.gov.uk

“Housing at prices and rents above those of social rent but below market prices or rents, and which meet the criteria set out above. These can include shared equity products (for example HomeBuy), other low cost homes for sale and intermediate rent.

The definition does not exclude homes provided by private sector bodies or provided without grant funding. Where such homes meet the definition above, they may be considered, for planning purposes, as affordable housing. Whereas, those homes that do not meet the definition, for example ‘low cost market’ housing, may not be considered, for planning purposes, as affordable housing.”

- 2.7 PPS3 states that Local Planning Authorities should aim to ensure that provision of affordable housing meets the needs of both current and future occupiers taking into account information from the Strategic Housing Market Assessment.
- 2.8 PPS3 requires that LPAs should:
- Set separate targets for social-rented and intermediate affordable housing where appropriate.
 - Specify the size and types of affordable housing that in their judgement is likely to be needed in particular locations and where appropriate on specific sites.
 - Set out the range of circumstances in which affordable housing will be required. The national indicative minimum site-size threshold is 15 dwellings. However, LPAs can set lower minimum thresholds, where viable and practicable, including in rural areas. This could include setting different proportions of affordable housing to be sought for a series of site-size thresholds over the plan area.
 - Set out the approach to seeking developer contributions to facilitate the provision of affordable housing. The presumption is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing. However where it can be robustly justified off-site provision or financial contribution in lieu of on-site provision (of broadly equivalent value) may be accepted as long as the agreed approach contributes to the creation of mixed communities in the local authority area.
- 2.9 Where practical and viable, the PPS advises that LPAs should consider allocating and releasing sites solely for affordable housing for local people, including using a Rural Exceptions Site Policy. Rural exception sites should only be used for affordable housing in perpetuity.
3. **Selby District Local Plan (SDLP, February 2005)**

- 3.1 The adopted Local Plan contains Policy H4 in order to help achieve an identified target of about 700 local needs Affordable Dwellings over the Plan period. The Local Plan expects developers to include a proportion of Affordable Housing units on all allocated sites and windfall sites of 25 dwellings or more.
- 3.2 The adopted Policy is based on surveys of need carried out in 1994 and updated survey was completed in 1999, which confirmed that a significant affordability problem existed for many.
- 3.3 Based on the 1999 Survey and the results of the Public Inquiry (between 1999 and 2001) the Local Plan provides that the total contribution from allocated sites in the Local Plan, between October 2004 and December 2006, is expected to be about 100 (but see also below at 3.5 and 4.4). Appendix 10 of the Local Plan provides some background explanation to the District-wide and individual site targets. The remainder of the overall local needs Affordable Housing target is expected to be achieved through negotiation on windfall sites.
- 3.4 The target figures for individual allocated sites have been established by balancing identified local need (from the 1999 Survey) with individual site suitability and local market conditions including the availability of Affordable Properties in the locality.
- 3.5 **However, the adopted Local Plan also establishes that the precise number and type of local needs Affordable Homes to be provided on each site will be a matter for negotiation between the developer and the Council based on up-to-date assessment of needs, income and local house prices (if appropriate), and the economics of provision (taking account of the cost of other planning and infrastructure requirements which may affect the number of units that can realistically be provided).**
- 3.6 The Local Plan sets out that proposals for local needs Affordable Housing will only be acceptable where adequate arrangements are made to ensure that the dwellings will be made available to meet genuine need and that the dwellings will remain affordable both initially and in perpetuity, with priority given to people living or working locally, or with local connections. Proposals only offering a discounted initial purchase price will not generally be acceptable. It is envisaged that the majority of schemes will involve an element of housing for rent or shared equity in partnership with a Registered Social Landlord (RSL or Housing Association).
- 3.7 The Policy requires that initial and subsequent occupiers of subsidised dwellings live or work locally*, or have local connections**, unless after a reasonable period of time***, the accommodation remains unallocated when properties may be made available, in turn, to households or persons: living or working in the District; living in an adjoining local authority area; or living elsewhere.

- * Living locally in this context means living within the Parish or Town, or adjoining Parish or Town, for a continuous period of two years up to the release of the accommodation. The term working locally applies to those in permanent employment in the Parish or Town, or adjoining Parish or Town, including those taking up employment, and those providing an important service requiring them to live locally.
- ** Local connections are defined as continuous residence for two years out of the last five, or immediate family having lived in the Parish or Town, or adjoining Parish or Town, for a minimum of five years.
- *** For the purpose of this policy a reasonable period of time means 12 weeks in the case of rental schemes and 6 months in the case of owner-occupier or shared ownership schemes.

4. Housing Needs Study 2005 (HNS05)

- 4.1 In view of the recent marked increase in house prices locally the Council commissioned a fresh survey in 2004 (in line with the Government's expectation that surveys are updated on a regular basis).
- 4.2 The postal and interview survey work was undertaken in 2004 and the analysis and Final Report published in April 2005. Policy and Resources Committee considered the report on 7 June 2005 and by Full Council on 21 June 2005.
- 4.3 *The main findings of the HNS05 (or "Housing Study") are:*
 - (i) There is a shortage of Affordable Housing – 294 units per annum following the Basic Needs Assessment Model (BNAM) in the ODPM Guide and 415 units per annum based on the Balancing Housing Markets analysis.
 - (ii) The requirement represents 47% of the projected build rate, and supports an affordable housing target consistent with current custom and practice (40% and rising) applied to site thresholds of 15+ dwellings/0.5 hectares.
 - (iii) The Basic Needs Assessment Model shows large shortfalls of one and two bedroom Affordable Homes. The Council will however have to consider provision of a mixture of sizes to facilitate efficient operation of the social rented sector.
 - (iv) The majority of the need can only be met by social rented housing.
 - (v) Examining the potential for intermediate housing shows that a maximum of 47% of the identified gross need could afford some form of intermediate housing. However only a very small fraction can afford such housing at costs just below market housing, the cost intermediate housing is typically available at.

- (vi) There are particular groups of households that have implications for future policy decisions. Frail elderly households, who do not contribute significantly to the requirement for additional affordable housing but have clear implications for future support requirements. Elderly households, which are typically under-occupied, can release larger units for use by families by moving to more suitable accommodation.

4.4 In the light of the up-to-date evidence, Government Guidance (in PPG3 and Circular 6/98 current at that time) and taking account of the 2005 published draft changes to PPG3³, members of Policy and Resources Committee (7 June 2005, minute number 68) resolved to:

- a) reduce the site size threshold on which the Council will expect an element of affordable housing to 15 dwellings or more or on sites of 0.5 hectares or more regardless of the number of dwellings; and
- b) establish an across-the-board target proportion of affordable housing of 40%.

5. What falls within the definition of Local Needs Affordable Housing?

5.1 The definition of Affordable Housing used by the Council, in the Local Plan includes both subsidised housing and 'low-cost market housing' (see also paragraph 5.10 below) available to people who cannot afford to rent or buy houses generally available on the open market. However, it should be noted that the 'low-cost market housing' referred to is that which is available for sale at a discounted price to those in need and not available on the open market. This definition aligns with Government own definition in PPS3 (2006) which clearly states "homes that do not meet the [affordable housing] definition, for example 'low cost market' housing, may not be considered, for planning purposes, as affordable housing." This SPD uses the Government's' definition of Affordable Housing which includes social-rented and intermediate housing. (Refer back to paragraphs 2.4 to 2.6 above for detailed definitions of these terms).

A. Affordability

5.2 The assessment of affordability for households is carried out using a single test based on the cost of housing and the financial ability of each household to afford housing of a suitable size in the private sector housing market. More detailed information is available in the Selby District Council Housing Needs Study June 2005 (HNS05)⁴. The data and methodologies for assessing affordability will be up-dated and

³ (and now strengthened by published PPS3 in November 2006).

⁴ A Housing Needs Survey was undertaken on behalf of the District Council by Fordham Research in October/November 2004 and published in June 2005. An Executive Summary is available on the Council's website (www.selby.gov.uk) and a copy of the full Main Report can be viewed at and purchased from the Planning Department.

refined on a regular basis. The provision of Affordable Housing for local needs, on each eligible proposal for new housing, will be assessed and negotiated on the basis of the most up-to-date information.

- 5.3 A household is defined as being unable to afford market housing if it is unable to afford both the entry level cost of owner-occupation and the entry level cost of private renting in the District.
- 5.4 In line with the HNS05, a household is unable to afford market housing and is deemed to be in need of affordable housing if:
- a) Mortgage Affordability – A household cannot afford the price of a suitable home because it has a gross household income less than one-third (33%) its mortgage requirement.
 - b) Private Rental Affordability – A household is unable to afford private rented housing if the rent would take up more than one-quarter (25%) of its gross household income.

Note: The Government intends to use new measure of ‘affordability’ based on the ratio of lower quartile house prices to lower quartile earnings. It proposes to set long-term national and regional ‘affordability targets’. At present the data necessary to use this methodology is not readily available, when it is and the Government have issued advice the Council will consider whether it is appropriate or necessary to adopt this approach.

- 5.5 The survey results from the HNS05 indicate that average gross household income in Selby was estimated to be £29 453 per annum. The median income was however estimated to be noticeably lower than this at £24 700 per annum. In the Housing Study it is shown clearly that the figure for average household income is significantly skewed by the very high average income of ‘owner-occupied households without a mortgage’. Putting this finding alongside the Government policy direction on Affordable Housing (lower quartile ratios), it is clear that using average household incomes as the basic measure of affordability is inappropriate and gives a distorted representation of housing need. However, robust data on ‘Lower Quartile’ earnings is not yet available in a form suitable for use in assessments of local housing need in Selby District. Thus, in the interim, the Council will use the median household income figure in the HNS05. For the purpose of making the calculations and assessments required for individual schemes, the Council will use the latest information on household income that is robust enough to replace the latest local data contained in the Housing Study.

B. Local Needs Affordable Housing Tenure Options

- 5.6 Set out below are definitions of the most common forms of Affordable Homes provided through the planning process (based on definitions in Annex B to PPS3: Housing, see above at Paragraphs 2.4 to 2.6). For

further information on the different form of tenures please contact the Housing Department at the District Council or visit the Housing Corporation website at www.housingcorp.gov.uk.

a) Affordable Homes for Rent (social-rented)

5.7 Social-rented housing is:

Rented housing owned and managed by local authorities and registered social landlords for which guideline target rents are determined through the national rent regime. The proposals set out in the 'Three Year Review of Rent Restructuring (July 2004) were implemented as policy in April 2006. It may 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.

5.8 A planning obligation in the form of a S106 Agreement will be sought to restrict the future rent levels and to ensure that the properties are let to local people in housing need.

b) Intermediate Housing

5.9 Intermediate Housing is:

Housing at prices and rents above those of social rent but below market prices or rents, and which meet the criteria for Affordable Homes set out in PPS3 and above at paragraph 2.4. These can include shared equity products (for example HomeBuy), other low cost homes for sale and intermediate rent (i.e. rents above social-rented level but below market rents).

The definition does not exclude homes provided by private sector bodies or provided without grant funding. Where such homes meet the definition above, they may be considered, for planning purposes, as affordable housing. Whereas, those homes that do not meet the definition, for example 'low cost market' housing, may not be considered, for planning purposes, as affordable housing."

5.10 It should be noted that the 'low-cost market housing' referred to in the Selby District Local Plan definition of Affordable Housing (in line with relevant Government guidance at that time but now superseded) means that which is available for sale at a discounted price, available to those in need (i.e. not available on the open market) and therefore falls within the definition of Intermediate Housing. As clarified by the Government in new PPS3, the Council considers that low cost open market housing (developers 'entry level' house types for 'first time buyers' or products designed to be 'more affordable') does not fall within the definition of Affordable Housing.

i) Affordable Homes for Shared Ownership

- 5.11 Those schemes delivered in partnership with a Registered Social Landlord or similar (see also 7.1 below), which allow payments to be split between a mortgage and rent. The percentage share of ownership will vary depending on the individual circumstances of the person or household in housing need.
- 5.12 Under current legislation⁵, shared owners have the right to increase to 100% ownership except in settlements of less than 3,000 population where the maximum is 80%. Because the opportunities for additional provision of affordable housing are limited in smaller settlements, the Council will seek to limit the amount of ownership to 80% on all schemes via a s106 Agreement (taking account of any changes in legislation). All settlements in Selby District except Selby, Tadcaster, Sherburn in Elmet, Brayton and Barlby are under 3000 population (Census 2001, see also Statutory Instrument referred to in the footnote).
- 5.13 In all settlements, regardless of the percentage ownership achieved by occupants, the Council will seek to agree arrangements that the properties will remain as local needs Affordable Homes and, as such any subsequent occupiers must meet the original occupancy criteria set out in the planning permission and/or planning obligation. If these restrictions are lifted, the subsidy will “be recycled for alternative affordable housing provision” (PPS3, Annex B).

ii) Affordable Homes for Shared Equity

- 5.14 The eligible occupier purchases a proportion of the property whilst the remaining equity is retained by another (usually an RSL) but no rent is payable on that part. The occupier will benefit from any general rise in property values on that part they own in any subsequent sale (to qualifying persons at the ‘discounted price’); this may provide them with the opportunity to ‘staircase’ to another suitable property, possibly within the open housing market.

iii) Discounted for Sale (DFS)

- 5.15 These are sold at a discount on the open market value (OMV) to qualifying persons, including re-sales. They should be sold at a price that does not exceed three times the gross median household earnings for Selby District (see paragraph 5.5 above) to ensure that such homes are and remain generally affordable to the majority of people in need living in Selby District.

⁵ Small rural settlements have been designated for enfranchisement and right to acquire purposes (under Section 17 of the Housing Act 1996) by Statutory Instrument 1887/620 – 25 inclusive and 1999/1307.

- 5.16 The Council will negotiate with developers for discounts of about 50-60% (but may be less or more) depending on the local relationship between house prices and incomes.
- 5.17 A planning obligation in the form of a S106 Agreement will be sought to restrict the future price of the property (or discount to be applied) and ensure it is sold on to those in housing need. In addition, a Registered Social Landlord or similar organisation (see also 7.1 below) may retain the freehold interest in such properties. These measures will ensure that such homes will remain affordable to local people in perpetuity.

C. Qualifying Persons

Local Needs

- 5.18 In line with Local Plan Policy H4 the initial and subsequent occupiers of local needs Affordable Housing will be those with local residency or connections in order to meet the identified local needs. The Council will seek s106 Agreements to control occupancy.

Key Workers

- 5.19 The HNS05 identifies (at Section 16) that the majority (96.3%) of key worker households can afford market housing in the District. However, of the 3.7% that cannot afford market housing, intermediate housing options are only affordable for 22.7%. In terms of the need for Affordable Housing the study suggests that around 17.3% of the net Affordable Housing requirement comes from key worker households.
- 5.20 The needs of key worker households are therefore a relatively insignificant issue for Selby District and if a key worker element is to form any part of the Affordable Housing provision required by the Council under Policy H4, it would have only a small role to play as the Council must address more acute needs.
- 5.21 Further, any intermediate housing proposed for key workers must be made available at costs much closer to social rents rather than just below market prices in order for key workers to afford to purchase and/or rent. The properties will also be restricted for qualifying subsequent occupiers.

6. How will the Council negotiate the Number, Types and Sizes of Local Needs Affordable Homes to be provided?

- 6.1 In accordance with the Council resolution of 21 June 2005, in the light of up-to-date evidence of need and Government advice, the Council will seek to negotiate a target of 40% of the homes on residential schemes (or mixed schemes with a residential element) of 15 dwellings or more, or 0.5 hectares or more regardless of the number of dwellings as local needs Affordable Housing.

- 6.2 The Council will apply this policy to planning applications on sites falling below the threshold where the Council can demonstrate that the site is capable of delivering more housing than proposed and/or the site forms part of a more substantial development, which would in its totality, be above the threshold. For example, where a site has been split into phases, which individually fall below the threshold.
- 6.3 The exact number, type and size of local needs Affordable Homes negotiated with the potential developer on a site will be based on an assessment of need, which will include:
- Information from the most up-to-date District wide Housing Needs Survey or Local Needs Survey if an exception site;
 - Current information held on the Housing Register;
 - Existing provision (Census information or from survey);
 - Local housing market characteristics (Land Registry);
 - Information from any relevant Parish Surveys or Appraisals; and
 - The opportunities for meeting the identified housing needs on other sites.

Number

- 6.4 Notwithstanding the indicative site specific targets within the Local Plan for allocated sites, the Council will negotiate for a target of 40% Affordable Housing units on these sites and other windfall sites at the 15dw/0.5 hectare threshold or above.
- 6.5 However, a greater proportion will be expected where the need exists. A lower amount may be negotiated in exceptional circumstances. The developer must justify such exceptional circumstances (see also paragraphs 6.10 – 6.20 below).
- 6.6 All local needs Affordable Housing developed will be subject to 100% local occupancy conditions.

Types and Sizes

- 6.7 The type and size of local needs Affordable Homes should reflect the identified housing need arising from the housing needs assessment and any other information available to the Council (including those set out at 6.3 above but this is not exhaustive).
- 6.8 As set out in the Key Points table below, based on housing needs evidence, the Council will seek 2 to 3 bedroom properties usually in the form of houses rather than flats in order to meet a range of needs in flexible housing solutions for the longer term. The Council will resist the provision of one-bedroom properties for these reasons and will seek suitably sized Affordable Dwellings.

- 6.9 Depending on the need identified through survey and the Housing Register, the local need Affordable Housing mix may also include a proportion of Lifetime Homes (i.e. housing which is designed to be readily adaptable to meet the changing needs of a household over the years) and special needs housing including those for the elderly. The size and type of any special needs housing that may be negotiated, will be determined in consultation with the relevant organisation including the local health authority and social services department.

Section continues overleaf.....

Key Points - The Council's starting point for sites:

Based on the methods outlined in 6.3 above, in all cases the Council will base negotiations on the following starting points:

Amount: 40% of dwellings on the site should be local needs Affordable Homes.

Tenure: 50% rented and 50% intermediate (discounted for sale, shared ownership, shared equity and sub-market rent).

Types and Sizes: This should reflect identified need from the HNS05* or Local Needs Survey but taking into account management issues, the need to create successful housing schemes, long-term flexibility and local circumstances. The local needs Affordable Housing element must form an integral part of and therefore reflect the characteristics (mix of types and sizes) within the market scheme as a whole.

*Although the HNS05 reported a need for 1 and 2-bedroom properties, the Council must consider provision of a mixture of sizes to facilitate efficient operation of the social sector through the creation of mixed and balanced communities so that in general the Council will not normally accept more than a nominal amount of 1-bedroom properties as part of the Affordable Dwellings provision. Central Government recognises that Local Planning Authorities should aim to ensure that the provision of Affordable Housing meets the needs of both current and future occupiers.

The majority of the local needs Affordable Housing provision should be 2 and 3-bedroom properties. Provision of houses as opposed to flats is likely to be the Council's preferred option in most cases in order to take account of local form and character and management issues, particularly in rural settlements.

Special Needs: Where a particular identified need should be addressed (e.g. for the elderly, vulnerable young people, or larger family homes) the Council will discuss requirements with the developer.

Siting and Design: The local needs Affordable Dwellings should be indistinguishable from the market dwellings and be spread through the market scheme (unless there are particular management issues e.g. Extra Care for the Elderly).

Viability: The Council will consider the economics of provision when negotiating the amount of local needs Affordable Dwellings required as well as the types and sizes required (see below at 6.10).

6.10 Any variation to the starting point will take account of:

- Factors set out in 6.3 above;
- Latest Government guidance; and
- The exceptional circumstances set out below (6.11 - 6.20).

Land Acquisition Costs

- 6.11 The Council recognises that requiring developers to allow part of their site to be used for non-market housing will result in a cost. In order to offset these costs, developers will be expected to take the requirement into account in negotiating realistic land values with site owners.
- 6.12 Negotiations will be carried out on the assumption that the development site has been acquired at a price that reflects all the known development costs, and only those costs that are proven to be unforeseeable at the time of site acquisition, will be taken into account for the purpose of negotiation (and any subsequent lowering of targets or alteration to house types and size and tenure).
- 6.13 Known site requirements and development constraints will include (not exclusively) costs of site demolition, preparation, retaining walls, piling, infrastructure provision and/ or diversion, highways works, servicing, flood mitigation measures, archaeological remediation, and decontamination (unless costs are so high as to make site development totally unviable with the provision of local needs Affordable Housing).

Abnormal Costs

- 6.14 The Council will take account of any abnormal costs associated with the development that may justify a reduction in the local needs Affordable Housing target. Where developers raise the viability of a scheme as an issue they will be requested to submit full financial details and valuations of the proposed development to enable the Council to assess and, if appropriate, review the target sought. This information should be provided as early as possible. No planning application will be determined until this information has been properly assessed.
- 6.15 Financial (and legal) statements will be treated in confidence by the Council but may be referred to legal, property and financial consultants where there is inadequate resources within the Council or if there is disagreement over appraisal conclusions. Where abnormal costs can be demonstrated to the satisfaction of the Council, a negotiated reduction may be agreed either to the overall scale of local needs Affordable Housing provision or to type, size and/or tenure.

Other Planning Requirements

- 6.16 Planning related requirements such as provision of, or financial contributions towards children's play areas, education and community facilities, and other areas of public open space, public art, and local needs Affordable Housing will, likewise, be seen as known costs. The onus will be on developers and their agents to negotiate reasonable site acquisition costs/option agreements with the landowner in order to offset these requirements. Planning permission will not be granted without meeting these requirements and, consequently, there should be no unreasonable expectations from landowners. Developers will be expected to make land acquisition bids conditional upon gaining planning permission in order to reinforce this protocol.
- 6.17 Architectural details and expression, high quality finishes and more expensive materials needed to meet conservation or other requirements will be expected to be reflected and recouped in open market values.
- 6.18 In exceptional circumstances the provision of local needs Affordable Housing may prejudice the realisation of other planning objectives that need to be given priority in development of a site. This may include for example the provision of community benefits over and above the normal requirements set out in 6.15 above. Such exceptional circumstances may affect the level of local needs Affordable Housing, which can reasonably be negotiated but would have to be substantiated in accordance with paragraph 6.19 below.

Exceptional Circumstances

- 6.19 There may be exceptional circumstances where particular costs associated with the development of a site may need to be taken into account in order to agree a reduced amount of local needs Affordable Housing and/or amendments to the mix of types, size and tenure. These may include:
- a) Those circumstances where the evidence leads the Council to seek to negotiate particular house types and sizes, which are significantly more costly to a developer. For example, larger family housing (4-bedroom or more) or provision for the elderly (bungalows or Extra Care facilities) or vulnerable young people or other special needs housing.
 - b) Where negotiations on a site have been ongoing over a considerable period of time and the developer can provide evidence that legally binding contracts have been signed for land purchase (prior to the introduction on 7 June 2005 of the revised site size threshold to 15dw/0.5ha or increased provision to 40%) which would make the site unviable (not less profitable) under the revised policy. No planning application will be determined until this information has been properly assessed.

- c) Whether the provision of Affordable Housing would prejudice the realisation of other planning objectives that need to be given priority in development of a particular site. For example, if the provision of Affordable Housing on the site would conflict with the creation of mixed and balanced communities (see also 6.18 above).

6.20 Developers are advised to speak with the Council's designated Affordable Housing Officer at the earliest opportunity within the site development process. This should be prior to the land acquisition stage and prior to the submission of a planning application. Annex 1 to this section of the SPD on Affordable Housing for local needs sets out how the negotiation process should transpire.

7. Developers Options for Providing Local Needs Affordable Housing

7.1 Developers have a range of options to meet the local needs Affordable Housing requirement. The option used to provide the local needs Affordable Housing will be influenced by the housing needs of a particular locality and will need to be agreed through negotiations between the Council, developer and, where appropriate, an RSL or similar organisation (that is, a housing provider that can meet the full requirements for Affordable Housing, as defined in this guidance; for example a charitable trust and possibly, in some circumstances, a specialist housing management company (this could be the developer company itself)).

Examples of the options that might be available are (in order of preference):

- a) The developer builds and transfers the completed units to an RSL or similar organisation (the Council's preferred option) at an 'agreed price'. The 'agreed price' is defined as "the payment to be made by the RSL for the dwellings to be constructed to satisfy the local needs Affordable Housing requirements sufficient to allow the RSL to let the properties at guideline target rents as determined through the national rent regime under proposals set out in the Three Year Review of Rent Restructuring (July 2004) implemented in April 2006 - or on a pro rata basis for shared ownership/shared equity/discounted for sale." (Note: The prices applicable to individual schemes may be set down by the Council where justified by the circumstances at the time.); or
- b) The developer transfers serviced plots or land to an agreed RSL or similar organisation, together with a financial contribution to enable the building of each local needs Affordable Unit. A serviced plot or land is defined as having all services provided up to the frontage of each plot and must include all those that are provided on the other

parts of the site such as utilities, telecommunications, roads and footpaths. The number of plots or the amount of land to be provided must be sufficient to enable the development of the agreed number and type of local needs Affordable Homes for the site; or

- c) The developer builds and retains responsibility for directly providing the units to those in housing need in accordance with a scheme approved by the Council (in practice it is expected that the arrangements to retain the local needs Affordable Housing units in this scenario in perpetuity without an RSL or similar will be too onerous and therefore it will not be reasonable for the Council to accept this option).

- 7.2 Whatever option is chosen, the Council will normally expect the affordable housing to be provided without the need for public subsidy. In certain circumstances however, where there is some 'additionality' to the housing scheme, grant may be available to the RSL from the Housing Corporation. Further discussion with the Council's designated Affordable Housing Officer and/or the Housing Corporation is advisable at an early stage.

Siting and Design

- 7.3 The siting and design of the local needs Affordable Dwellings will need to be agreed by the Council as part of the planning application.
- 7.4 Local needs Affordable Homes should be well integrated in a residential scheme by virtue of their design and siting. Units should be evenly spread throughout the development (pepper-potted) unless groupings aid management of a particular type of property e.g. homes for the elderly. It is important to ensure that there is no obvious visual distinction or social separation between the local needs Affordable and open market housing.
- 7.5 The local needs Affordable Housing should be subject to high standards of design and landscaping. Though it is expected that usually they will be based on the developer's standard house types, so as to integrate them into the overall development, where a developer builds the Affordable Homes for rent which will be managed by an RSL the design should be modified to the individual RSLs own standards and requirements.
- 7.6 The quality of materials and specification of any local needs Affordable Homes should ensure that future maintenance and running costs are low and should include energy efficient measures.

Parking Provision

- 7.7 Parking for local needs Affordable Homes should match pro-rata that of the private homes. Parking spaces must be allocated to the local needs Affordable Homes and provided at no charge.

Off Site Contributions

- 7.8 If a site has been accepted as being suitable for the provision of local needs Affordable Housing it is expected that those units should be provided on-site. Consequently, financial contributions to fund the provision of local needs Affordable Housing on land elsewhere will only be acceptable in very exceptional circumstances.
- 7.9 A financial contribution will only be acceptable in lieu of on-site provision if both the developer and Council agree that this is the preferred approach to providing local needs Affordable Housing for a particular community. For example where the management of the affordable housing on site cannot be effectively secured or to provide the local needs Affordable Housing on site would be incompatible with the delivery of sustainable communities.
- 7.10 In such instances, any off-site provision of Affordable Housing or a financial contribution in lieu of on-site provision must contribute towards the objective of creating sustainable communities. This could be achieved by bringing existing housing back into active use for local needs Affordable Housing (empty homes), purchasing open market properties for local needs Affordable Housing or supporting the delivery of local needs Affordable Housing on another site.
- 7.11 Any financial contribution will be based on the total cost of local needs Affordable Housing that would have normally been required on the site. The financial contribution will be used to fund the provision of local needs Affordable Housing elsewhere. Payments should be made within an agreed timescale set out in a planning obligation.

8. Local Needs Affordable Housing in Rural Areas

- 8.1 In the absence of sufficient housing opportunities within Development Limits, the Local Plan contains Policy H11 to facilitate the provision of small-scale schemes for local needs Affordable Homes in rural areas. Local needs Affordable Housing schemes permitted in small and rural settlements must satisfy the range of criteria as set out in Policy H11. In summary:

Establishing a Local Housing Need

- 8.2 To justify local needs Affordable Dwellings provided through the exceptions approach or in a rural settlement, a local housing need must already exist within the community. Applicants promoting a group of local needs Affordable Homes must seek the advice of the Council's designated Affordable Housing Officer. Applicants will need to demonstrate that there is a genuine need for the local needs Affordable Housing within a community through an up-to-date survey usually involving the local Parish or Town Council and in association with the Rural Housing Trust (or similar). The onus will be on the applicants

promoting a scheme to demonstrate that their proposal will meet the housing needs identified for a particular community effectively in terms of the number, tenure and size of dwellings being proposed. In all cases, any properties developed will be the subject of 100% local occupancy conditions.

The Location of Rural Exception Schemes

- 8.3 Local needs Affordable Housing exception schemes must be sited adjoining the Development Limits of a settlement. The proposal must be well related in scale, location and design to the adjoining settlement. Its impact on the character of the settlement or the adjoining countryside must be minimised.
- 8.4 Proposals should normally be on sites of no more than 0.4 hectares and involving less than 10 dwellings, depending on the level of need and site characteristics.
- 8.5 The design, layout and landscaping of any proposal should reflect the sensitive character and nature of any exception site. All schemes must also comply with normal site planning requirements including highway, drainage, infrastructure and amenity considerations.

9. Managing and Monitoring Local Needs Affordable Homes

- 9.1 On all local needs Affordable Housing developments negotiated through Policy H4, the Council will seek to agree 100% nomination rights for the local needs Affordable Homes. Nomination agreements will form part of S106 agreements.
- 9.2 Referrals for 'Discounted for Sale' and 'Shared Ownership' and 'Shared Equity Homes' will be made in accordance with the policy and procedures attached as Annex 2 to this Section of the SPD. In addition, the local need Affordable Homes should be marketed in accordance with the Council's policy attached as Annex 3 to this Section of the SPD.
- 9.3 Annex 4 to this Section of the SPD sets out Heads of Terms for S106 agreements, which the Council will seek in order to ensure the implementation of local needs Affordable Housing schemes and that the local needs Affordable Housing is retained in perpetuity.

Affordable Housing Plan

- 9.4 The Council will require that developers submit an 'Affordable Housing Plan' (AHP) with relevant planning applications (in accordance with the procedure set out at Annex 1 to this Section of the SPD). Officers will need to agree the AHP prior to any application going before Planning Committee in order that members are able to fully assess whether the Affordable Housing contribution and arrangements for its delivery are acceptable. The AHP will comprise the following information:

- a) The proportion of homes provided to be affordable (target of 40% unless exceptional circumstances can be proved by the applicant).
- b) The proportion of Affordable Homes to be provided as social-rent and 'Intermediate' housing ('Discounted for Sale' or 'Shared Ownership' or 'Shared equity'). Normally 50:50 unless agreed otherwise.
- c) Timing/trigger arrangements for the transfer of the Affordable Homes to an identified RSL in relation to the completed market units on the site (the Affordable Homes to be completed and transferred before 25% of the market dwellings have been first occupied unless site conditions/circumstances justify otherwise and have been agreed with the Council).
- d) Development programme indicating the approximate completion date of each Affordable Home.
- e) Arrangements for local occupancy controls.
- f) Details of the Registered Social Landlord(s) who will be partnering on the site.
- g) Floor Plans/layout plans showing Affordable Homes by tenure (Affordable Homes to be highlighted in two distinguishable colours to reflect differing tenures).
- h) Details of open market valuations of proposed Affordable Homes.
- i) Parking provisions to pro-rata match that of the private element and allocated spaces to be indicated on drawings. Parking spaces to be offered by the developer at no charge.
- j) Confirmation that the developer will comply with the Council's Marketing Policy for 'Discounted for Sale' and 'Shared Ownership/Equity' homes.
- k) Confirmation of the developer's proposed service charges (where applicable), which should be shown to be reasonable and affordable to occupiers of the Affordable Homes for sale and RSLs (multipliers of 25% and 33% are referred to in paragraph 5.4. The mortgage/rent payment *including* service charge needs to fall within this range).

Monitoring

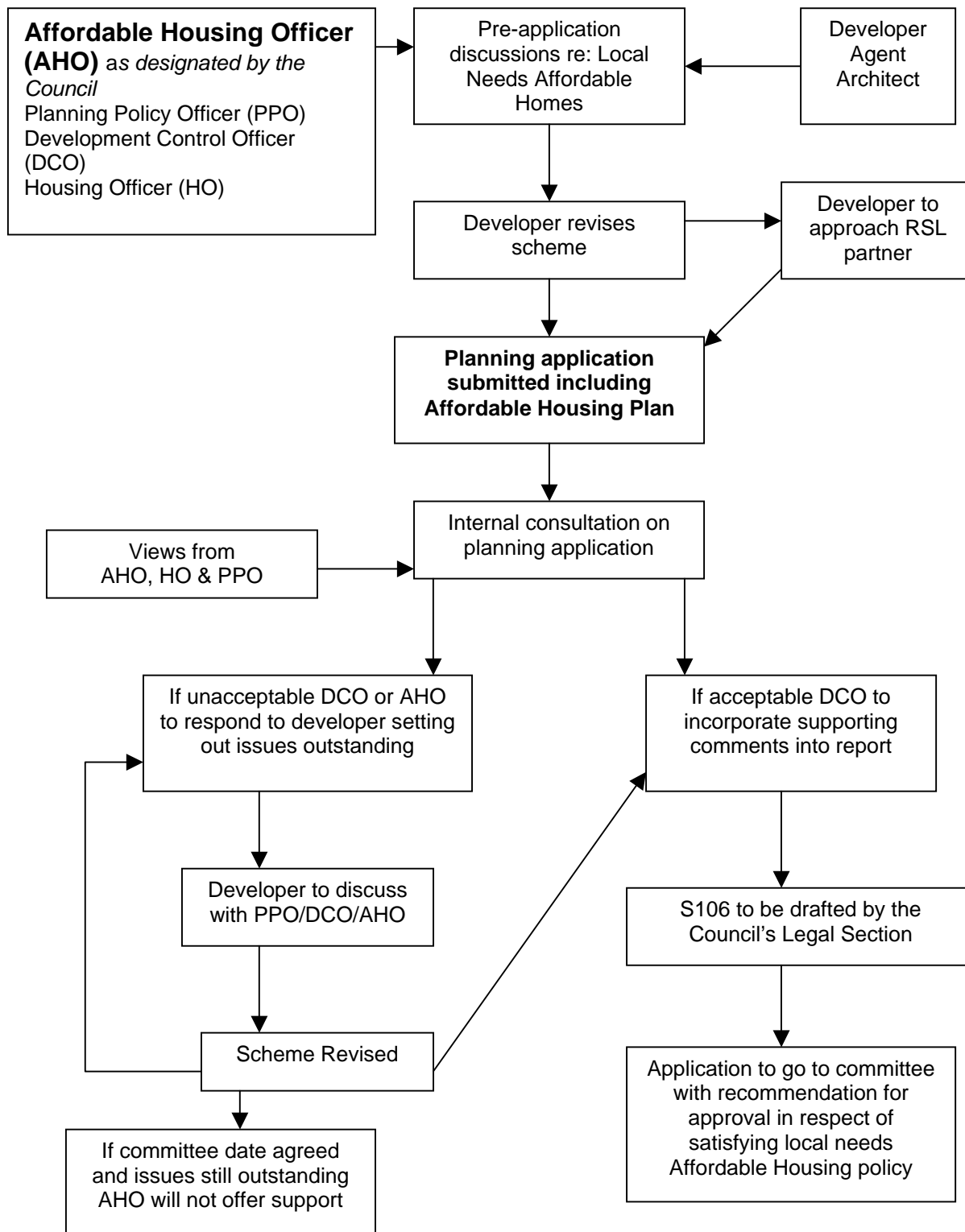
- 9.5 Developers and RSLs will be required to inform the Council's designated Affordable Housing Officer on completion or transfer of the Affordable Housing Units and any subsequent change in occupiers. This will be

necessary in order to facilitate proper and effective monitoring of compliance with SDLP Policy H4, planning permissions and Section 106 Planning Obligations.

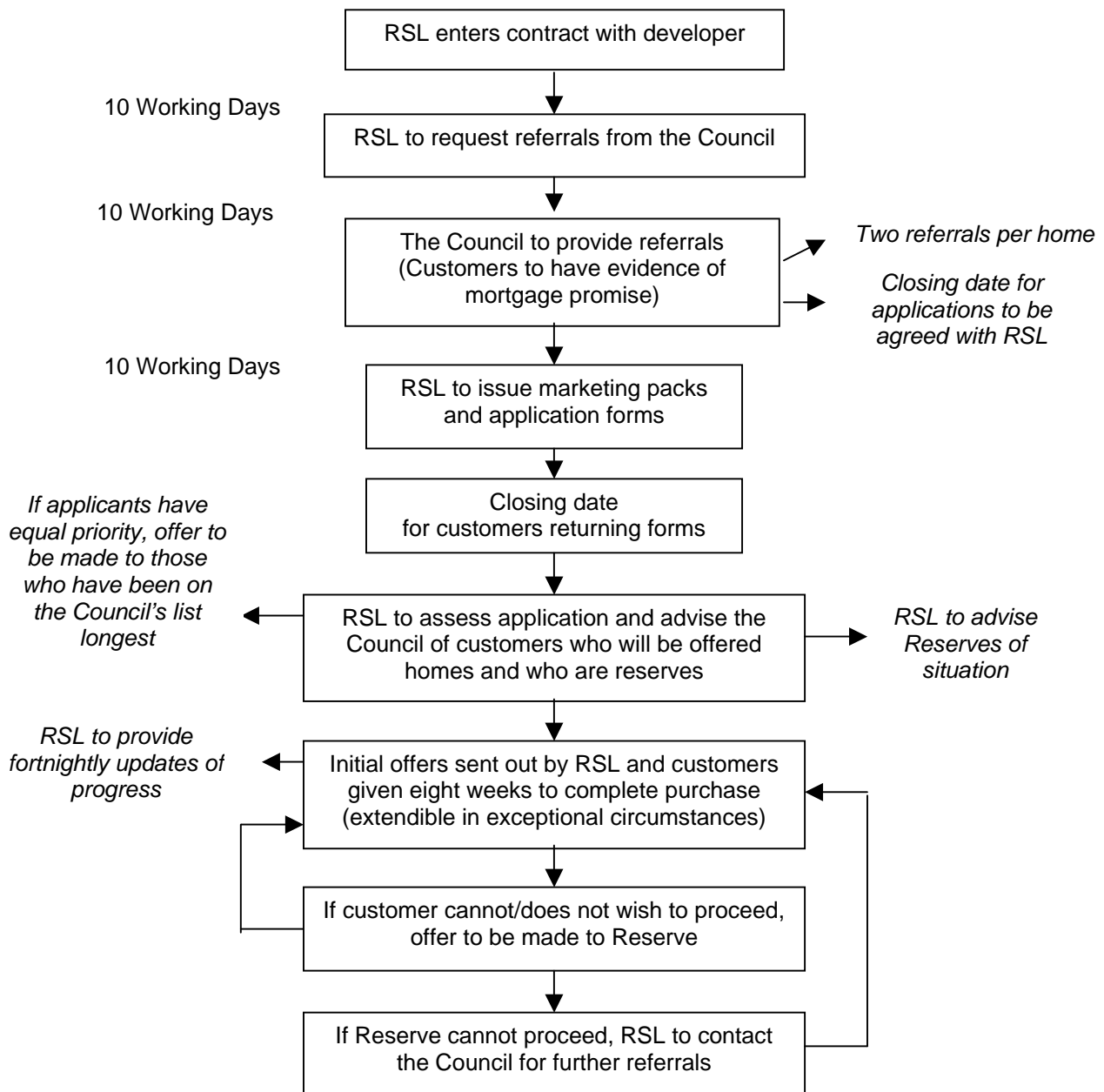
- 9.6 To ensure effective monitoring of Section 106 requirements in respect of local needs Affordable Housing there will be close working between the Council's Enforcement/Compliance, Legal, Planning and Housing Officers and the designated Affordable Housing Officer.
- 9.7 Council officers will therefore closely monitor the implementation of planning permissions/conditions and obligations relating to local needs Affordable Housing. The Council will also provide statistical monitoring through the Local Development Framework Annual Monitoring Report.

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Annex 1
Process to Be Followed For Schemes Involving
Local Needs Affordable Housing



Annex 2
Intermediate Housing Nominations Referrals Model Procedure*



*Assumes SDC has implemented Intermediate Housing List as part of Housing Register.

Annex 3 Local Needs Affordable Housing Marketing Policy

Summary of Marketing Obligations for Affordable Housing

1. For so long as the owner/developer shall operate a sales and marketing suite on the land in relation to the sale of dwellings on the site the owner/developer shall ensure that:
 - a) The Affordable Housing Units are advertised through: the erection of signboards on site; and in the sales and marketing suite on site; and
 - b) That local people who enquire about the Affordable Housing Units are provided with appropriate contact details (whether being contact details for the developer's/owner's preferred RSL or otherwise) to enable them to apply for such property.

2. In relation to the marketing of any Affordable Housing Unit by an RSL that RSL must (as reasonably appropriate in the circumstances as agreed with the Council):
 - i) Advertise the relevant Affordable Housing Units in the local press on more than one occasion and as often as is necessary;
 - ii) Display posters at local public/council buildings; the Council's main office (the Civic Centre); local village stores including the post office within the Parish and surrounding Parishes;
 - iii) Arrange marketing through local estate agents;
 - iv) Request that any local parish magazines and notice boards within the Parish and surrounding Parishes advertise the relevant Affordable Housing Units; and
 - v) Include information of the availability of the Affordable Housing Units on the SDC website and the RSL's own website; and
 - vi) Provide potential customers and the developer's sales and marketing suite with an information pack comprising the following items:
 - an explanation of how RSL rented and RSL shared ownership schemes work
 - instructions on how to apply for an Affordable Housing Unit
 - the qualifying criteria for an Affordable Housing Unit
 - the restrictions on future re-sales (where appropriate)
 - a location plan
 - a layout plan identifying the relevant Affordable Housing Units
 - floor plans
 - price schedules
 - explanation of parking arrangements

3. Generally to take all reasonable steps to satisfy the Council that local people have had the opportunity to be informed of the developments and the chance to apply for a property.

Marketing for New Schemes

Marketing will be undertaken by the RSL (as outlined above at 2). The type of marketing may differ depending on the price of properties and the circumstances of the people whose details are already held on the Council's database⁶. Priority for referrals will be given to customers already on the Council's database. However, to increase public awareness of schemes and to encourage other people to apply for Discounted Sale/Shared Ownership Homes the Affordable Housing Web Page⁷ will be the main marketing tool. However, it is accepted that not everyone has access to the Internet. Therefore there will be a need to undertake marketing as set out in the above Summary.

Marketing Information for New Homes

Marketing information for individual schemes should be provided by the RSL to potential customers in the form of a marketing pack (as set out above at vi). RSLs are to undertake all marketing of the local needs Affordable Homes and include the cost of such marketing when submitting their bid to the developer.

Marketing Periods for Discounted for Sale/Shared Ownership Homes

Section 106 Agreements usually require all local needs Affordable Homes for sale to be marketed for a number of months to people living in the appropriate Parish or adjoining Parishes. The length of this initial marketing period may vary from scheme to scheme but is generally about six months. In respect of new homes this may include a number of months prior to completion. In accordance with the Section 106 requirements following expiry of the initial marketing period homes can be marketed to people in housing need living in the rest of the Selby District area, then adjoining LPAs, then finally elsewhere.

Marketing for Re-sales

This issue will be covered within the S106 Obligations, whereby the vendor is required to inform the Council and or the RSL of their intention to sell their home. The Council then has the opportunity to make referrals for the home. In the event that there is no one suitable from the Council's list the vendor is permitted to sell the property to persons meeting the eligibility criteria. Such a sale can involve the employment of an estate agent.

⁶ This is the Housing Register and assumes the Council has information on requests for all tenures.

⁷ This assumes that SDC has an affordable housing web page.

Annex 4 Heads of Terms for Section 106 Agreements

General

1. The number, type and tenure mix of local needs Affordable Housing.
2. Local needs Affordable Housing plots and associated car-parking bays to be clearly identified on an attached plan.
3. Schedule of local needs Affordable Homes to be attached confirming plot number, type, floor height (where appropriate) and floor area.
4. Requirement that developer informs SDC within 21 days of development site commencement.

Transfer to an RSL

5. Requirement for local needs Affordable Homes to be transferred to an RSL (RSL to be named wherever possible).
6. Requirement for local needs Affordable Homes to be transferred to an RSL at the 'agreed price'. The 'agreed price' is defined as "the payment to be made by the RSL for the dwellings to be constructed to satisfy the local needs Affordable Housing requirements sufficient to allow the RSL to let the properties at guideline target rents as determined through the national rent regime under proposals set out in the Three Year Review of Rent Restructuring (July 2004) implemented in April 2006 - or on a pro rata basis for shared ownership/shared equity/discounted for sale."
(Note: The prices applicable to individual schemes may be set down by the Council where justified by the circumstances at the time).
7. Requirement that developer informs the Council when contracts signed with RSL.
8. Inclusion of reasonable time limits for developers to enter into contract with the RSL and provisions requiring developer to market homes to other RSLs in the event this deadline cannot be met.
9. Requirement that RSL informs the Council when properties have been transferred.
10. Requirement for local needs Affordable Homes to be built to Site Development Standards (SDS) on schemes where Social Housing Grant (SHG) is being used.
11. Requirement that local needs Affordable Homes not built to SDS are to be handed over to RSLs in good condition and to be built to a standard of specification, which is acceptable to the RSL.

Marketing

12. Requirement for marketing of social rented and intermediate homes to be undertaken by the developer and/or RSL partner and these marketing obligations to be set out (in accordance with Council's Marketing Policy see Annex 3).
13. Requirement for marketing period of intermediate homes to extend for a minimum of six months.
14. Flexibility to be incorporated to allow RSL to commence marketing prior to their completion/transfer.

Tenure Mix

15. Clause permitting the RSL to purchase the Discounted for Sale homes in the event that the marketing period has expired and customers are still progressing mortgages.
16. Provision for Discount for Sale Homes to be occupied on a shared ownership basis.
17. That shared ownership arrangements in smaller settlements (those less than a population of 3000 at 2001 Census and referred to in Statutory Instrument 1887/620 – 25 inclusive and 1999/1307 be restricted to 80% ownership.

Triggers

18. Insert triggers for when the local needs Affordable Homes will be provided according with developers construction programme but ensuring that usually no more than 25% of the open market housing is completed prior to transfer of all the Affordable Homes to an RSL. This may be phased.

Prices

19. Prices or percentage discount for Discounted Sale Homes to be inserted. These to be index linked to the Halifax Property Price Index on sites where development delays expected due to remedial/infrastructure work.
20. Formula to be inserted illustrating how the percentage discount will be determined for the initial purchaser (i.e. the discount percentage at which they will be required to sell on at).
21. Prices for Discount Sale Homes to include marketing costs to be incurred by RSL (currently to a maximum of 3% of the discounted price or £1500 whichever is the greater).

Controlling Occupancy

22. Set out the arrangements for controlling occupancy and include criteria of eligibility against which occupancy can be determined. These will relate to Development Plan policy with respect to local connections as well as affordability criteria involving the relationship between house prices (to purchase and rent) and incomes.
23. Requirement for those purchasing Discounted for Sale properties to enter into lease with RSL restricting condition of resale i.e. limiting the percentage of open market value at which the home can be sold.
24. Requirement that first and subsequent vendors of DFS properties inform the Council and /or RSL of their intention to sell their home in order to allow the Council to provide referrals and ensure compliance with occupancy controls.
25. Requirement that intermediate Affordable Homes are retained as such in perpetuity. This means that DFS homes and shared ownership/shared equity Affordable Homes remain available to only those eligible persons identified under the local occupancy criteria. This includes shared ownership homes regardless of any stair casing (even up to full 100% ownership).
26. Requirement for 100% nomination rights within the local occupancy criteria from Council's Housing Register for all local needs Affordable Housing.
27. Requirement for RSL/developer request from the Council nominations for shared ownership/equity and Discounted for Sale properties in the first instance.
28. Where referrals cannot be made for intermediate housing from the Council's Housing Register, the requirement that RSL keeps the Council informed of occupiers taken from their own Lists in order that the Council can monitor compliance with Local Plan policy, the planning permission and s106 requirements.

Miscellaneous

29. Parking for local needs Affordable Homes to be provided at nil charge.
30. Mortgagee in Possession Clause to be inserted.
31. Set out a disputes resolution procedure.
32. Requirement that developer pays reasonable contribution towards the Council's costs for the production of s106 Agreement (currently £250).

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