

Affordable Housing and ExtraCare Housing

Supplementary Planning Document

Adopted April 2021



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Purpose

The purpose of this updated supplementary planning document (SPD) is to support the local authority, developers, housing providers and local communities to deliver a wide range of housing through successful planning applications with particular focus on:

- the provision of Affordable Housing and
- the delivery of exception sites in rural areas and
- the provision of Extra Care Housing, including Affordable Extra Care.

This update of the SPD contains detailed advice and direction on the implementation of South Gloucestershire Core Strategy policies CS18 (Affordable Housing), CS19 (Rural Housing Exception Sites) and CS20 (Extra Care Housing) and refers to national policy and guidance published since the adoption of the Core Strategy in December 2013 and the Affordable Housing and Extra Care Housing SPD in May 2014, which supersede some of the provisions of Policy CS18.

In particular, the publication of a revised National Policy Framework (NPPF) in July 2018, with minor clarification in February 2019, introduced a revised definition of Affordable Housing to include greater access to home ownership and set new national requirements for the provision of Affordable Housing as a planning obligation.

The SPD sets out the council's preferred approach for the implementation of policies CS18, CS19 and CS20 and delivery of Affordable Housing, rural exception sites and Extra Care Housing respectively. Whilst it is intended to form the basis of negotiations with developers, the specific circumstances of individual applications will be taken into consideration.

The document contains references to other background material, some of which is accessible via electronic links, or alternatively which may be obtained from the Strategic Planning or Strategic Housing Enabling teams in South Gloucestershire Council.

1.1 Objectives

The specific objectives of the revised SPD are to:

- confirm the policy context at national and local level affecting the provision of Affordable Housing in the implementation of policies CS18, CS19 and CS20.
- set out the means by which the requirement for 35% Affordable Housing in new housing developments can be achieved on-site, taking account of viability considerations,
- enable the delivery of an appropriate mix of Affordable Housing suitable in tenure, type, size and location to meet identified housing need, drawing on evidence from the most recent Strategic Housing Market Assessment (SHMA) or subsequent Local Housing Needs Assessment (LHNA),
- addressing climate change mitigation and adaptation, and the Climate Change Emergency declared by the council,
- contribute to the achievement of sustainable development, economically, socially and environmentally; providing jobs and homes to local communities, enhancing social cohesion, improving living conditions for all households, and ensuring that developments respect the local environment,
- highlight the thresholds of sites on which a proportion of Affordable Housing will be sought and indicate how such sites will be defined,
- set out how more Affordable Housing might be provided in rural areas for local communities, with the support of some market housing,
- define Extra Care Housing and provide guidance for its provision, including when it would be appropriate to seek a proportion of Affordable Housing,
- address the scope for Self-build and Custom build housing to provide Affordable Housing.

1.2 Status of Document

The Affordable Housing and Extra Care SPD is one of a suite of documents which supports the council's Local Plan. Upon adoption by the council it will be referred to in the implementation of policies CS18, CS19 and CS20 and will be considered a material consideration in the determination of planning decisions by the council.



2 Policy Background

2.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) (2012), revised in 2018 and 2019, and the South Gloucestershire **Core Strategy** (2013), and in particular policies CS18, CS19 and CS20, provide the policy framework for Affordable Housing and Extra Care Housing in South Gloucestershire.

However some of the provisions set out in CS18, CS19 and CS20 have been superseded by national policy following the publication of the revised National Planning Policy Framework **NPPF 2019**, and these will therefore need to be implemented by the council in the determination of planning applications according to the revised national policy. The SPD has been updated to reflect the new guidance to provide more detail on the implementation of current national policy.

Additional national guidance is provided by the updated National Planning Policy Guidance (**NPPG**).

Policies CS18, CS19 and CS20 cannot be amended except by the adoption of a new Local Plan, involving public consultation and Examination in Public by a Planning Inspector. It is therefore very important that this SPD is referred to when considering the requirements of these policies for planning applications, in order to comply with current national policy where it differs from the Core Strategy policies.

The main changes introduced by national policy and guidance relate to:

- The definition of Affordable Housing
- The size of residential development which must make a contribution to Affordable Housing
- Vacant Building Credit
- Affordable Housing space and access standards
- Viability Assessments

In addition, the Government amended the Climate Change Act 2008 to legislate for a target for all greenhouse gas emissions to be net zero by 2050. However, in order to pursue efforts to limit warming to 1.5°C (as per the Paris Agreement in 2015) and avoid the severest impacts of climate change, it is important that the 'net zero' target is achieved much sooner. Consequently, many councils have declared a Climate Emergency and set a 2030 target. South Gloucestershire made a Climate Emergency declaration on 17th July 2019, which included the commitment to provide the leadership to enable the whole of South Gloucestershire to be carbon neutral by 2030. Key issues in relation to climate change must therefore also be addressed in the context of Affordable Housing.

2.2 Definition of Affordable Housing

The definition of Affordable Housing which underpins the approach in the Core Strategy and in this SPD is that set out in Annex 2 of the revised NPPF 2019 and includes housing for sale or rent, for those whose needs are not met by the market, or as superseded by any future changes to national policy.

N.B. To avoid confusion, throughout this document, Affordable Housing, which meets the definition above, will be written with initial capital letters to distinguish it from housing which is generally considered to be affordable, i.e. homes for rent or sale at the lower end of the open market. This also applies to Affordable Dwelling, Affordable Homes etc.

3

Affordable Housing Policies

South Gloucestershire Core Strategy policies CS18 Affordable Housing, CS19 Rural Housing Exception Sites (Section 8) and CS20 Extra Care Housing (Section 9) and their supporting texts are contained in Appendix 1. The following sections provide additional guidance.

3.1 CS18 Affordable Housing

Policy CS18 was consistent with guidance in NPPF 2012. The following paragraphs expand on those provisions of CS18 which still apply and provide guidance on revised provisions introduced after the adoption of CS18 in December 2013.



Quadrangle,
Westerleigh

3.2 Developments Subject to the Affordable Housing Requirement

Policy CS18 requires 35% of housing provided on all new housing developments over certain thresholds to be affordable and to be provided on-site, normally without public subsidy, unless the developer can demonstrate that the Affordable Housing jeopardises the economic viability of the proposals (see paragraph 7.2 below).

A revised **National Planning Policy Framework (NPPF)** was published in July 2018, and with minor amendments in February 2019, which states at paragraph 63 that:

“Provision of Affordable Housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).”

National guidance regarding planning obligations was brought into line with the NPPF 2018 through amendments to the **National Planning Practice Guidance (NPPG): Planning Obligations** in September 2019. Paragraph 023 Reference ID 23b-023-20190901 of that guidance relates to the threshold below which Affordable Housing contributions should not be required. The main amendments to national guidance are:

- Provision of Affordable Housing should only be sought for residential developments that are major developments.
- Major development is defined by the NPPF as development where 10 or more homes will be built, or the site has an area of 0.5 hectares or more.
- In **designated rural areas**, local planning authorities may choose to set their own thresholds in plans and seek Affordable Housing above that threshold.

The main change in thresholds as set out in CS18 is that the site area threshold is 0.5 hectares as opposed to 0.33 hectares and that both dwelling number and site size thresholds shall apply in both urban and rural areas, except as below.

The only designated rural areas in South Gloucestershire are those that lie within the Cotswold Area of Outstanding Natural Beauty, where a lower threshold of five or more dwellings, or 0.2 hectares and above, will apply and require an on-site Affordable Housing contribution, as set out in Policy CS18 Affordable Housing.

3.3 Site Definition

The area of land, against which site size thresholds will be measured, is the 'red line' boundary of the whole of the application site which encompasses any housing scheme, and not simply the footprint of the residential buildings and their immediate curtilage. However, the policy does allow some flexibility in the case of site specific issues. Where there are specific features or constraints that good design would normally require to be retained (such as important trees, ecological or conservation features, and attenuation ponds), these should be taken into account and the gross site area reduced to developable area, as per CS1(3) of the Core Strategy – 'existing features of landscape, nature conservation, heritage or amenity value and PROW should be safeguarded and enhanced through incorporation into development.'

In mixed use schemes where housing is a component within buildings with other uses, the calculation of the Affordable Housing requirement will be based on the total number of dwelling units in the building.

The gross number of new dwellings created as part of a development scheme will be used to determine the number to which the Affordable Housing threshold and percentage will be applied. Existing dwellings, which might be present on a site and which would subsequently be demolished or the subject of significant structural alterations will not be discounted, except in specific circumstances, such as estate regeneration or in the application of the Vacant Building Credit (see below).

Where existing houses/ flats are retained, and refurbished and upgraded, as part of any development scheme, they will not count as additional new units for the calculation of the Affordable Housing requirement.

However, where existing dwellings are subdivided, the additional new units would be included in the total housing numbers for the purpose of determining the Affordable Housing requirements. The requirement for an Affordable Housing contribution will therefore apply to the conversion of any existing building where the additional housing units would result in the threshold being reached.

3.4 Site Densities

Policy CS16 requires all housing developments to make an efficient use of land, maximising provision whilst meeting the requirements of high quality design and compatibility with the character of the local area as set out in policy CS1.

Therefore, when a planning application for residential development is made, and the dwelling numbers proposed fall just under the proposed threshold for Affordable Housing, assuming that the site size is also below the threshold, an assessment of the housing density appropriate to the site will be made with a view to determining whether Affordable Housing should be required.

3.5 Artificial Division of Sites

Where it is proposed to phase development or sub-divide sites, the council will take the whole site for the purpose of determining whether the scheme falls above or below the thresholds for the provision of Affordable Housing.

Similarly, where recent sub-division has taken place, or where there is considered to be a reasonable prospect of adjoining land being developed for residential purposes, which is not included in the relevant application, the council will assess both sites as one for the purpose of applying policy CS18. The threshold and number of Affordable Dwellings will be determined in relation to the area and total number of proposed and completed dwellings of all the relevant sites taken as a whole. The particular circumstances and planning history of the site will be taken into account.

3.6 Vacant Building Credit

The Vacant Building Credit was first introduced in 2014, with national guidance published in 2016 and since updated in March 2019 in paragraphs 026-028 of the **NPPG: Planning Obligations**. It is now set out in paragraph 63 of the NPPF.

The purpose of the credit is to encourage brownfield development where a vacant building is brought back into lawful use or is demolished to be replaced by a new building. It allows a reduction in any Affordable Housing contribution, equivalent to the floorspace of the existing vacant building.

In implementing policy CS18 we will apply the Vacant Building Credit as appropriate, in accordance with the national policy. This guidance does not supersede or conflict with any of the CS18 provisions, but will be taken into account when negotiating Affordable Housing provision and delivery.

4

The Need for Affordable Housing

4.1 Assessing Housing Need

In implementing policies CS18, CS19 and CS20, Affordable Housing should be provided according to identified need, which will determine the quantity, tenure and type of Affordable Housing. The National Planning Policy Framework (NPPF) 2019 requires a Local Housing Need Assessment (LHNA) to be undertaken to provide an assessment of future needs for market and Affordable Housing over the Local Plan period. The LHNA provides the evidence for an objective assessment of housing and economic development needs, without taking into consideration other policy aspirations, opportunities or constraints. Until the West of England LHNA, which encompasses Bath and North East Somerset, North Somerset, Bristol and South Gloucestershire is completed, the **Strategic Housing Market Assessment (SHMA)**, is still relevant in identifying housing need as the evidence base supporting the delivery requirements of Affordable Housing policies CS18, CS19 and CS20. Meeting these needs and ensuring a sufficient variety of house types and sizes to achieve mixed and inclusive communities is a high priority for the council. The **SHMA Guidance Note** summarises the identified need.

The split of Affordable Housing tenure types, Social Rent, Affordable Rent and Shared Ownership or other Affordable routes to home ownership, which should be provided by developments to meet need, is identified by the SHMA or as superseded by future needs evidence.

4.2 Access to Affordable Housing

Affordable Housing delivered under policies CS18, CS19 and CS20 may be occupied only by eligible persons, determined with reference to local incomes and house prices and household circumstances. South Gloucestershire Council operates a Choice Based Lettings system known as HomeChoice and eligibility criteria are set out in the **HomeChoice Lettings Policy and Procedure**. Affordable Home Ownership housing is marketed to eligible households by the Help to Buy Agent. Contact the HomeChoice Team for more information (see Appendix 6 - Useful contacts). An obligation to comply with these requirements will be included in a S106 Agreement.

4.3 Affordability

Affordable Housing should be provided at a cost the occupiers can afford, with regard to local incomes and values, and which meets the affordability criteria in the SHMA/ LHNA.

- Social Rent should be let at no more than 105% of the target rent as determined by the national rent regime.
- Shared Ownership should be provided with limits on the initial equity share and rent on the unsold equity in line with affordability criteria.
- Affordable Rent includes service charges and can be set at up to 80% of local median market rents but not exceeding the Local Housing Allowance.
- Service charges will be capped at an appropriate level to ensure that the Affordable Housing is affordable
- Affordable routes to home ownership, as defined by NPPF 2019 and including First Homes and discounted market sale units, if delivered under Local Plan policies without public subsidy, will also be required to meet the affordability criterion, which is currently (2020) that the total housing costs to the occupants of Affordable Housing should not exceed 35% of their gross income.

4.4 Rural Affordable Housing and Local Connection

In order to implement policy CS18 in the delivery of Affordable Housing in rural areas the council will:

- promote partnership working with key stakeholders and, in particular, with local communities and their Parish Councils,
- provide strategic advice on Affordable Housing and numbers of local people on the waiting list and
- encourage Parish Councils to consider an investigation of local housing need and the potential to develop Rural Housing Exception sites where appropriate (See Section 8).

In relation to the development of Affordable Housing in rural areas, other than on exception sites, a priority may be given to applicants with a local connection to the Parish, where appropriate and where there is evidence of local Affordable Housing need.

In the assessment of bids through HomeChoice for rural tenancies, a bid from an applicant with a local connection will take priority over applicants who do not, provided that they have the same level of need.

To illustrate this, if two applicants have the same housing need, e.g. both have been designated as Band A applicants, the applicant with the local connection shall be given priority. However, if an applicant with a lower assessed need, e.g. Band B, has a local connection but another Band A applicant does not, the Band A applicant would have priority, despite not having a local connection.

Applicants with a priority card as defined in the council's HomeChoice Lettings Policy and Procedure shall be given preference over all other applicants, regardless of their level of need or local connection, except on Rural Exception Sites, where a local connection is required.

As opportunities for the development of rural Affordable Housing are limited, legislation exists to ensure that it can be retained for future use, by protecting it from being sold under any Right to Buy or Right to Acquire and restricting the amount of equity that can be purchased by leaseholders of Affordable HOme Ownership homes (see Appendix 3).

4.5 Affordable Housing for Specific Needs

In addition to general Affordable Housing need, the council will consider meeting the housing needs of specific groups and may seek Affordable Housing under policy CS18 for people with specific accommodation requirements, where a need has been identified by the SHMA or LHNA.

These include:

Wheelchair Accessible Accommodation

The need for wheelchair accessible accommodation, as determined by the SHMA /LHNA will be met by an appropriate percentage of the Affordable Housing being provided as accommodation accessible for wheelchair users, with dwelling types to be determined on a site by site basis according to layout and need, as set out in Policy PSP 37 of the **Policies Sites and Places Development Plan** (see paragraph 5.4.1 below).

Supported Housing

Supported housing, for example for young homeless people or people with Learning Difficulties. The South Gloucestershire **Market Position Statement** estimates a need in the region of 40 supported living units for people with Learning Difficulties over the next 5 years.

Gypsy and Traveller communities

The council will consider meeting any specific housing needs of Gypsy and Traveller and Travelling Show people communities that are identified by the LHNA.

Extra Care Housing

Extra Care Housing provides a tenure range of self-contained accommodation which provides flexible care and support arrangements to meet the increasing needs of people as they get older and/or become more disabled whilst enabling them to live independently (see section 9).

Sheltered and Retirement Housing

Self-contained sheltered or retirement housing, which is not Extra Care Housing. The SHMA projected an overall requirement for sheltered housing of approximately 5,500 sheltered homes from 2016 to 2036. The **Market Position Statement** sets out the current capacity of and likely future demand for residential care homes.

Essential local workers

Also known as key workers, this group was included within the definition of Affordable Housing by the NPPF 2019 and includes public sector employees who provide frontline services in areas including health, education and community safety, such as NHS staff, teachers, police, firefighters, military personnel, social care and childcare workers. There is little national guidance on this group, except for essential rural workers under the **NPPG: Housing Needs of Different groups**.

The housing needs of essential workers will be assessed by the LHNA and, based on this evidence, a Local Plan policy position and guidance for implementation will be developed.

Build to Rent

Build to Rent is purpose-built within the private rented sector, subject to particular planning requirements (see **NPPG: Build to Rent** for guidance). For Build to Rent schemes the normal form of Affordable Housing is expected to be rented, known as Affordable Private Rent.

The need for Affordable Private Rent will be assessed by the LHNA and, based on this evidence, a Local Plan policy position and guidance will be developed.

4.6 Self-build and Custom Housebuilding

Policy PSP42 of the Policies, Sites and Places Plan (adopted November 2017) expands on the council's approach to Self-build and Custom housebuilding in the district. Of most relevance are criteria 5 and 9 in relation to Affordable Housing:

Criterion 5 of PSP42 requires the developer to investigate whether it is viable to provide self and custom build plots on sites where the council has agreed it is unviable to provide policy compliant S106 contributions (including Affordable Housing) if the Affordable Housing is consequently reduced to below 35% of the total dwellings and subsidy is not available to return the Affordable Housing to 35% of the total dwellings.

The Affordable Housing requirement (Core Strategy Policy CS18) should be calculated on 100% of the unit numbers, including the self-build element.

Criterion 9 proposes a target size for custom-build dwellings that may be delivered through routes 2, 4, 5, 6 and 7 in order to hold down the size and thereby value of plots of land, to make them more affordable for middle-income earners.



Where custom build plots are provided on council-owned land, large residential or mixed-use sites (100+ dwellings), the council will expect dwellings to be no larger than 108sqm (gross internal floor space). However, it is recognised that the council's Self-build Register shows strong demand for a greater mix of plot sizes. There is scope to provide a mix of plot sizes that meets the range of demand and affordability. Further guidance is set out in the [Self-build and Custom Housebuilding SPD](#).

Self-build and custom housebuilding are not normally regarded as Affordable Housing, although they can be delivered as Affordable Dwellings as long as they meet the definition of Affordable Housing at Annex 2 of the NPPF 2019.

The council would welcome Affordable self-build units, however it recognises the challenges that this creates. In this circumstance, we would encourage Affordable Dwellings to be delivered via a Registered Provider and contractor in the usual way. Further guidance on the delivery of Self-build and custom housebuilding dwellings as Affordable Housing is set out in the Self-build and Custom Housebuilding SPD.

Sites for 100% custom-build housing of 10 or more dwellings (or the site has an area of 0.5 Ha or more), or 5 or more dwellings in the Cotswold AONB, would be expected to deliver Affordable Housing units in accordance with Core Strategy Policy CS18.



4.7 'Non-affordable' housing

The following will not be regarded as meeting the definition of Affordable Housing although their provision may be encouraged in the context of creating mixed communities;

- “Low cost market” housing – housing for sale which may be cheaper than most market housing or at the lower end of the scale, including custom build, unless it is included in the definition of Affordable Housing contained in Annex 2 of the NPPF 2019, or other national policy or legislation,
- Market housing - private housing for rent or sale where the price is set by the open market,
- Student accommodation (not self-contained),
- Accommodation in care homes, residential and nursing homes within C2 of the Use Classes Order,
- Gypsy/Traveller residential and transit pitches.

5

Development Standards

5.1 High Quality Design

Section 7 of NPPF 2019, as well as local plan policy, demands high quality, sustainable design of our neighbourhoods and buildings. The Core Strategy contains a range of policies that are related to the high quality design of the built and natural environment, as well as the response to climate change in promoting energy efficiency and new sources of decentralised, renewable and low carbon energy. Affordable Housing will be expected to achieve these standards of design quality. In October 2019 the government published the **National Design Guide** which provides additional guidance on creating well-designed places.

In addition, Policy PSP 6 – On-site Renewable and Low Carbon Energy, of the **Policies Sites and Policies Development Plan** Document (adopted 8th November 2017), expects all development, including Affordable Housing, to minimise end-user energy requirements over and above those required by building regulations through energy reduction and efficiency measures. A further reduction of CO₂ emissions of at least 20% will be required on all major greenfield residential developments through the use of renewable and/or low carbon energy generation sources on or near the site, providing this is practical and viable.

5.2 Designing for Climate Adaptation and Resilience

The South Gloucestershire **Climate Change Strategy 2018-2023** (CCS) was adopted on the 8th October 2018 and was endorsed by the South Gloucestershire Strategic Partnership in January 2019. The CCS forms a material consideration in the determination of planning applications.

Following the Climate Emergency declaration made by the council on 17th July 2019, the targets of the CCS were updated to reflect the declaration. The overall target is for South Gloucestershire to become carbon neutral by 2030. As part of this, the use of renewable energy needs to be significantly increased.

It is important that all new buildings are designed to adapt to, and be resilient to a changing climate. It is recommended that design measures be incorporated at an individual building level and also at site level, to ensure resilience to current and projected climate over the lifetime of the development, providing for the comfort, health and well-being of future occupants taking into account their potential vulnerability. This includes conserving water supplies, enhancing biodiversity and minimising the risk of overheating.

It is also recommended that a dynamic thermal modelling assessment of overheating risks be undertaken (using a methodology such as **CIBSE TM52** and **CIBSE TM59** or equivalent), in order to understand the implications of future projected temperatures (e.g. in 2030 and 2050 and 2080). Measures can then be incorporated into the design to mitigate any overheating risk and ensure a comfortable internal environment is provided without the need for energy consuming cooling equipment.

5.3 Designing for net zero carbon building

In order to achieve a net zero carbon building, a building that uses very little energy is essential (see 5.1 above). Therefore building to recognised sustainable design standards through schemes such as **Passivhaus** or equivalent is encouraged. Passivhaus is an international energy standard for buildings. It sets stringent standards on energy consumption for heating and overall energy demand, and also sets design requirements to control the quality of the internal environment. Passivhaus focuses primarily on energy efficiency. When renewable heating and renewable energy generation technology are incorporated, then 'net zero carbon' and even 'carbon negative' Passivhaus buildings can be achieved. Overall, Passivhaus is about building healthy, climate resilient buildings for the health and wellbeing of people and planet.

5.4 Housing Standards Review

On 27 March 2015 the government announced a new approach to the setting of technical housing standards in England, to simplify building regulations and other standards and reduce bureaucracy and costs. The publication of a new set of national technical standards replaced locally adopted standards.

In order to deliver high quality and sustainable Affordable Housing in inclusive and mixed communities, the council will seek that all Affordable Housing developed in the District meets appropriate, up-to-date national and local design policy requirements.

5.4.1 Access and space standards

The NPPG contains guidance on **Housing: optional technical standards** regarding space and access standards and provides links to the relevant documents. These were introduced in 2015 as optional Building Regulations, which could be adopted by local authorities in their local development plans, where they were supported by evidence of need and viability. These standards replace local standards and the code for Sustainable Homes and Lifetime Homes, which have been withdrawn. Where superseded standards are contained within s106 agreements on existing planning permissions, those standards should still be met.

Policy PSP 37 of the Policies Sites and Places Development Plan sets out the council's approach to Internal Space and Accessibility Standards for Affordable Dwellings, requiring consistency for all Affordable Dwellings with the statutory guidance in the **Nationally Described Space Standards**, as a minimum, and with the adopted optional Building Regulation accessibility standard Part M4(2) and the provision of 8% Affordable Dwellings to meet the wheelchair standard Part M4(3) – see paragraph 5.5 below. Part M4(2) and M4(3) accessibility standards will only be required where step free access can be achieved.

The Nationally Described Space Standards set out a range of sizes for each house type, e.g. 3 bedroom house, depending on the number of people that can be accommodated. This will be taken into account in relation to the need to be met, as set out in the **SHMA Guidance Note**. The lower end of the range for a certain house type may not be acceptable for family homes.

The expected standards for external amenity space for all homes, including Affordable Homes, are set out in Policy PSP 43 of the Policies, Sites and Places Development Plan.

5.4.2 Security

A new security standard was included in building regulations at **Part Q**. However, the **Secured by Design** guidance published by the Police in March 2019 is still current and the council will seek to secure that all Affordable Housing is built to meet the Secure by Design Silver Award, which fully discharges the requirements of approved Document Q and, in addition, requires certification from appropriate independent third party bodies. The requirements of the Silver Award can be found in the **Secured by Design Homes Design Guide**.

5.5 Wheelchair Standard

Policy PSP 37 requires 8% of Affordable Housing to be constructed as wheelchair accommodation to the Part M4(3)(2)(a) standard, which provides the potential to be adapted for occupation by a wheelchair user. This requirement is applicable only to dwellings where the Local Authority is responsible for allocating or nominating a person to live in that dwelling.

The requirement will be negotiable depending on the local circumstances of the site, in particular sustainable access to local services and facilities, employment opportunities, community and health facilities, and the topography of the site. Although no site size or dwelling number threshold will be applied, it may not always be appropriate to require a percentage of wheelchair adaptable accommodation on small sites.

Advice will also be sought from the council's Occupational Therapist.

5.6 Phasing and Distribution of Affordable Housing

In implementing policy CS18 on major sites, the master planning approval process may include a requirement for an Affordable Housing distribution plan and schedule that sets out the proportions of Affordable Dwelling types and tenures and, if appropriate, locations in each phase or parcel of the development, in order to maintain the approved percentages and ensure the even distribution of the Affordable Housing across the site. The plan and schedule may have to be amended as the scheme progresses to account for necessary changes but must be approved by the council before submission of successive residential Reserved Matters applications.

The Affordable Housing should be built at the same time as the market housing to ensure that a comprehensive development is delivered. A legal agreement will contain trigger points to ensure that certain percentages of the Affordable Housing are transferred to a Registered Provider (RP) before agreed percentages of permitted dwellings have been completed.

The Affordable Housing should be well integrated and indistinguishable, as far as possible, from neighbouring market housing, to achieve a sustainable, inclusive and mixed community. Policy CS18 requires developments to contribute to mixed and balanced communities and paragraph 10.48 of the supporting text to the policy seeks the “peppercotting” of Affordable Housing in small clusters within mixed tenure developments.

The council will expect no more than 6 Affordable Dwellings in a cluster, regardless of tenure, and no more than 6 Affordable flats sharing an entrance and communal areas. Registered Providers would generally expect flats within a single block to be of the same tenure.

On sites of more than 100 total dwellings, clusters may be increased up to a maximum of 12 affordable homes. However, no more than 6 Affordable flats using a common entrance will be accepted. On high density schemes a greater degree of flexibility may be necessary and this can be negotiated on a site by site basis.

In exceptional circumstances, where it is not appropriate to distribute the Affordable Housing dwellings in line with the above standards, or it will not achieve a mixed and balanced community, the Housing Enabling team may discuss alternatives with developers to achieve a satisfactory solution. Developments of only Affordable Housing will be excluded from these provisions.



6 Development Procedures

6.1 Affordable Housing Requirements

The council wants to provide a clear and effective approach to planning applications where Affordable Housing is required in accordance with policies CS18, CS19 or CS20. Early engagement and consultation with the Strategic Housing Enabling team is encouraged and pre-application advice is recommended. On planning applications for residential development where an Affordable Housing contribution is required, negotiations will be held with applicants to ensure the Affordable Housing is delivered in line with Policy CS18 and the NPPF 2019.

6.2 Legal Agreements

Applicants should have regard to the guidance on the council's Affordable Housing requirements contained in this document.

Planning applications should be accompanied by an **Affordable Housing Statement**, which requires the applicant to demonstrate how the proposal addresses the Affordable Housing obligation.

The terms and obligations for the delivery of the Affordable Housing, including trigger points and monitoring requirements, will be set out in a legal agreement made between the owner of the land and the council. Early negotiation, resolution and drafting of the legal agreement are encouraged. The heads of terms of the Affordable Housing provision should be agreed before a planning application is approved.

The provisions and obligations contained in an agreement made under Section 106 of the Town and Country Planning Act 1990 (as amended) will be endorsed by the relevant Planning Committee in accordance with the terms of the Constitution.

6.3 The Registered Provider (RP)

The council will not prescribe which RP a developer chooses to work with but it is the council's preference for the Affordable Housing to be delivered by a member of the **HomesWest** panel of providers.

In the event that a developer chooses to work with a RP which is not a member of HomesWest, the council would seek confirmation that it would meet current service standards, as set out in a legal agreement to ensure sustainable management. Please contact the Strategic Housing Enabling Team for more information and a list of HomesWest members.

Whichever provider is chosen, it is advisable for the developer to involve them at the earliest opportunity, ideally before the design stage. Early consultation with an RP partner allows for the early incorporation of their standards and design brief in Affordable Housing designs.

7

Ensuring the Delivery of Affordable Homes

7.1 Delivering Affordable Housing without Public Subsidy

Affordable Housing delivered in accordance with policy CS18 should normally be delivered without public subsidy.

Where schemes are demonstrated to be unviable, developers/landowners will be required to seek public subsidy to deliver Affordable Housing to the full 35% policy level where other funding sources are unavailable. The council can provide advice on sources of appropriate funding.

Developers will be expected to deliver the Affordable Housing in contract with an RP, who will purchase the Affordable Housing units from the developer at a price agreed between themselves. The council can provide guidance on the price that RPs might expect to pay for Affordable Housing units but it cannot prescribe or influence that price.

The price paid for Affordable Housing should be limited to what can be supported by capitalised rents in the case of social and affordable rented units and the limits of equity and residual rent for Affordable Home Ownership units.

Affordable Housing will not be subject to a Community Infrastructure Levy (CIL) charge.

7.2 Viability

Policy CS18 requires developers to achieve 35% on-site Affordable Housing, normally without public subsidy, if development sites fall within the site size thresholds. In negotiating the maximum level of Affordable Housing, the council will have regard to the economic viability of the site and the factors underpinning it.

Applicants who cite non-viability as the reason for not complying with Policy CS18 must support their case with sufficient evidence when submitting their planning application.

It will be the responsibility of the developer to demonstrate that the economic viability of a particular site is affected by specific factors and that as a result a lower percentage of Affordable Housing should be provided, without public subsidy.

In addition to the supporting text in paragraphs 10.38 – 10.42 of CS18, **NPPG guidance: Viability and decision taking** provides national guidance followed by the council in its approach to viability assessment.

At an early stage in the preparation of a planning application, for example in pre-application discussions, developers are encouraged to make themselves familiar with all the planning obligations likely to be required in a development, including the requirements for Affordable Housing, and to identify any factors affecting viability (see examples at Appendix 2).

The council will assess the economic viability using its own appointed chartered valuer or surveyor, who will ask the developer for the necessary information. All costs relating to the viability assessment will be borne by the developer.

The viability appraisal should be made available on an open book basis, with supporting evidence using benchmark land values based on developments which are compliant with emerging or up to date plan policies. The Benchmark Value of a site is its current use value, known as Existing Use Value, plus a premium to encourage an existing land user to sell for development. Costs should be based on evidence which reflects local market conditions.

When considering any viability arguments, the council, in making its assessment, will under no circumstances take into account what the applicant has paid, or has agreed to pay, for the land above standard benchmark values. The costs of the development should be reflected in the purchase price for the land. If, despite all reasonable investigations and proper due diligence prior to purchase, abnormal conditions are subsequently discovered which render the scheme unviable, supporting evidence should be submitted for the council to consider.

The council will assess the impact of planning obligations on the viability of the development using the residual land value model (see Appendix 2).

The residual land value is the value of the land that remains after any and all costs associated with developing, maintaining or reselling the land have been deducted from the total market value of all elements of the scheme. A site is viable where the residual value produced by the proposed scheme exceeds the assumed existing use value as either a serviced or un-serviced development site or as a greenfield site.

The **NPPG: Viability** guidance Paragraph: 021 Reference ID 10-021-20190509 (as updated in May 2019), states that viability assessments should be prepared on the basis that they will be made publicly available other than in exceptional circumstances. This supersedes previous guidance in the Affordable Housing and Extra Care Housing SPD relating to viability assessments when implementing policies CS18, CS 19 and CS20

Usually, development proposals should meet the policy requirements of the South Gloucestershire Local Plan and not require viability assessments, in line with **Paragraph: 007 Reference ID: 10-007-20190509** of the national guidance. In cases where the council accepts that a viability assessment is justified, that assessment will be made publicly available, in line with the national guidance (paragraph 57 NPPF).

7.3 Offsetting Measures

Where the council is satisfied that planning obligation liabilities, including the Affordable Housing requirement, render the scheme unviable, the council will reconsider those obligations. In respect of Affordable Housing the council will be flexible in negotiating ways to restore viability and may consider, for example:

- supporting the introduction of grant funding, or other financial contributions, in order to achieve the 35% requirement wherever possible, or
- adjusting the tenure split or unit types, or
- a lower percentage of Affordable Housing to be provided without public subsidy, but retaining the tenure split and unit mix, or
- a combination of any of these options necessary to restore viability or achieve an agreed alternative target.

7.4 Futureproofing

In the implementation of policy CS18, where schemes are unviable and the council and developer have agreed to one or more of the mechanisms in 7.3 above, or another mechanism, to restore viability, a Section 106 agreement will be drawn up to include the agreed 'futureproofing' provisions, to capture a proportion of any increase in development values over the construction period of the development.

Examples of possible futureproofing mechanisms include:

- a) A negotiated, fixed percentage of Affordable Housing, which is lower than the policy requirement of 35% but above the level which is viable at the time of the planning application. Funding should also be sought to restore viability. This would be appropriate for large, multi-phased sites which will be developed over several years and may assist in providing some certainty over the period of development.
- b) When a lower percentage of Affordable Housing has been agreed following a viability assessment, after 3 years the contribution will revert to 35% for the remainder of the development, in line with the provisions of **Section 7 of the Growth and Infrastructure Act 2013**. If it is still not viable at this time, a re-assessment of viability would be sought. In this example the options would be agreed prior to the completion of a legal agreement.
- c) Viability reviews carried out at agreed times or stages of the development to reassess the Affordable Housing contribution to be delivered on subsequent phases.

- d) When a lower percentage of Affordable Housing has been agreed, following a viability assessment, if the development is not completed within a certain timeframe, or assumptions made in the viability assessment change significantly, such as sales rates, a proportion of any uplift in net development value could be assessed and paid to the council as a financial contribution. The mechanism for calculating any such deferred payments should be agreed and set out in a legal agreement.

7.5 Retention of Affordable Housing

The council's intention in implementing policy CS18 is to provide Affordable Housing which is retained as such for as long as it is needed.

Policy CS18 states, "All provision will therefore include the expectation that affordable homes provided remain at an affordable price for future generations of eligible households and for the subsidy to be recycled for alternative Affordable Housing provision within South Gloucestershire where this is not so."

Social Rented and Affordable Rented housing,

- a) which is delivered without public subsidy, will be exempted through a legal agreement from the requirements of the Right to Acquire in order to maintain its future use as Affordable Housing and
- b) which is delivered with public subsidy, may be purchased under the Right to Acquire, producing a capital receipt which is recycled for alternative Affordable Housing provision (Annex 2: Affordable housing NPPF).

Rural Affordable Housing

Certain rural areas, known as **Designated Protected Areas**, are protected from the Right to Acquire, through the provisions of **Statutory Instrument 2009 No. 2098**, which identifies the exempt parishes of South Gloucestershire. In these areas, under the provisions of the **Housing and Regeneration Act 2008**, shared ownership Affordable Housing may be subject to a staircasing limit, e.g. 80% equity, or provisions must be in place for the social landlord to buy back the equity shares to prevent its loss through outright sale. Under certain, limited circumstances, where Affordable Housing Grant funding is provided by Homes England, the Council may agree to apply to Homes England to waive the Designated Protected Area conditions (see Appendix 3).

Recycling of capital receipts

The mechanism for recycling the developer subsidy will be set out in a legal agreement. Instances in which net capital receipts will be recycled are set out below:

Shared ownership housing may be lost as Affordable Housing through staircasing to full ownership. In order to be able to replace it, the council will require any available net capital receipts to be recycled towards the provision of additional Affordable Housing in South Gloucestershire.

Affordable Home Ownership dwellings will be subject to specific restrictions, set out in legal agreements, which ensure that either future purchasers meet certain eligibility criteria or any available net subsidy is recycled towards Affordable Housing in South Gloucestershire in event that the property is sold on the open market.

Social Rented and Affordable Rented housing delivered with public subsidy, such as Homes England grant funding. It is expected that the net subsidy should be recycled for use as recycled capital grant funding (RCGF) within the South Gloucestershire area.

7.6 Off-Site Contributions

In implementing policy CS18, CS19 and CS20, Affordable Housing should be provided on-site, unless there are exceptional circumstances which can be robustly justified and off-site provision can be secured, where it contributes to the objective of creating mixed and inclusive communities or a financial contribution in lieu of broadly equivalent value (para 62, NPPF 2019). Exceptional circumstances to be considered might include an inappropriate location for Affordable Housing, a lack of need for Affordable Housing in a particular area, or a planning consideration that would restrict delivery on site.

A financial contribution will represent the same level of subsidy that would have been provided by the developer, had the Affordable Housing been delivered on-site. The subsidy is equivalent to the difference between the net development value of the site with no Affordable Housing and the net development value of the site with a policy compliant Affordable Housing contribution, which has been sold to an RP.

The financial contribution will be payable to the council no later than the start of the development, unless otherwise agreed, and will be subject to appropriate indexation for the period between the month the planning application is approved (either by planning committee or the Circulated Schedule) and the date of payment of the contribution. The sum received by the council will be set aside solely to support the delivery of Affordable Housing in South Gloucestershire.

7.7 The Off-Site Financial Contribution Tariff

A tariff based approach to determining off-site financial contributions, or commuted sums replaces the previous guidance set out in the Affordable Housing and Extra Care Housing SPD, which was to calculate the appropriate sum in each case, using information specific to that development. This could be a lengthy and contentious process.

The tariff model makes an assessment of the average cost of an Affordable Dwelling for nominal development sites of different densities in different areas of South Gloucestershire (see table in Appendix 5). The average cost per unit, the tariff, is multiplied by the number of Affordable Dwellings required by the development to produce the off-site financial contribution for that site.

Viability considerations, such as abnormals or a high existing use value, would require the use of a viability assessment to calculate an equivalent financial contribution, instead of the application of the tariff.

The model has been developed by both Bath and NE Somerset. The model as used by South Gloucestershire is based on assumptions of up-to-date building costs and house sale values in South Gloucestershire in Q4 2019 / Q1 2020 and valid for the year 2020/21. It will be updated annually in reflection of Land Registry index changes and BCIS TPI increases where any impact of Covid 19 will be reflected.

It has the advantage over the previous calculation process of being quickly and easily assessed without the need of professional valuations for each case, without any delay to the determination of applications. The involvement of the industry in developing the model should help with acceptance of the principles and methodology of the model.

It is recognised that not all developments fall into the standard typology used to develop the tariff (e.g. different types of Extra Care or assisted living model). Should the applicant consider this to be the case or that the site cannot viably deliver the relevant tariff calculation, the process in section 7.2 can be followed to determine the off-site payment as appropriate.

7.8 100% Affordable Housing Schemes

Where only Affordable Housing is proposed on a site and where the CS18 threshold is reached or exceeded, there will be no requirement to deliver a percentage of Affordable Housing without public subsidy, if it is not viable to do so. The clustering requirements, as set out in paragraph 5.6 above will not apply.

A legal agreement will ensure that at least 35% of the Affordable Housing units will be secured for future households in need in the event that not all the Affordable Housing is delivered or the remaining 65% is subsequently sold on the open market.

The council will expect all the affordable dwellings at first letting and 75% of subsequent lets to be made available to eligible households through HomeChoice.

The legal agreement will also ensure that net capital receipts obtained through the disposal or staircasing of the Affordable Housing will be recycled within South Gloucestershire.

8

CS19 Rural Housing Exception Sites

8.1 Principles and Processes

In rural areas planning policy constraints will normally restrict new housing development, although the council will consider proposals from local communities for additional housing sites through the Neighbourhood Planning process, or its own development plan process.

Rural communities may wish to support a small amount of new Affordable Housing specifically to meet those local housing needs which cannot be met by the market in order to maintain more mixed inclusive and viable local communities. Exception site proposals should be supported by the appropriate Parish Council.

Proposals for sites providing Affordable Housing will therefore be considered as an exception to the policies of development restraint which would normally apply, subject to the considerations in sections 8.2 - 8.5 below.

In implementing policy CS19, Rural housing exception sites can be brought forward only if there is a proven, unmet local need for Affordable Housing and all lettings will be subject to the requirement to demonstrate a local connection to the Parish (see Appendix 4). Homes will be let on the basis of a sequential priority, or cascade, so that those with a local connection to the Parish will have first priority. If however, there are no applicants who meet that criterion, priority will be given to applicants with a local connection to neighbouring Parishes and thereafter to the whole of the District of South Gloucestershire.

All exception site developments will be subject to a Section 106 legal agreement, linked to the planning permission, to ensure that the properties will always remain available at an affordable price for people in housing need and prioritised for those with a local connection to the parish or group of adjacent parishes.

8.2 Local Housing Needs Surveys

All planning proposals for the development of rural exception sites should be supported by a local housing needs survey undertaken within the previous five years, which will determine the level of Affordable Housing need in the Parish (or a group of parishes should they agree to work jointly on a survey).

The Parish Council should be involved in the investigation of local housing need in partnership with the council and/or any other housing body. It will be essential to consult and engage the local community throughout the process and particularly at the site selection stage. Guidance on the council's approach to consultation and engagement is set out in **South Gloucestershire Council's Statement of Community Involvement**.

South Gloucestershire Council will

- carry out the Housing Needs Survey, analyse and produce the report, or
- commission an independent survey based on the council's standard survey and report, or
- accept a proposal from another body e.g. a housing provider, to undertake a survey, where appropriate.

However the survey is conducted, the methodology must be considered sufficiently robust to provide evidence which supports the development proposals.

There are limited council resources to directly carry out surveys; nevertheless the council wishes to ensure a standard approach to such surveys and a consistency between them. Where a developer or landowner wishes to resource a survey, the council will need to approve the survey methodology and questionnaire and validate the survey results.

If an Affordable Housing need is identified, the report should give an indication of the number, type and tenure of affordable homes that are needed by households with a local connection to the parish. The analysis will consider information on the incomes and savings of respondents in relation to their needs and to local housing costs, in order to assess their eligibility.

Individual responses to surveys should be kept confidential.

If a survey fails to identify a local need for Affordable Housing then no further work will be undertaken to investigate a scheme.

8.3 The Selection of Sites

When implementing policy CS19, planning applications for such sites will be considered in accordance with other relevant Core Strategy policies, together with the need to provide Affordable Housing.

Although proposals can be located outside the settlement development boundary, they should be well related in terms of their physical proximity and design to the existing rural settlement and in sympathy with the scale, form and character of the settlement and locality and should pay particular attention to the local distinctiveness of the whole settlement and the surrounding area.

Proposals which satisfy the criteria above and meet local need may be considered an exception to a presumption against the principle of development but will still be required to satisfy the usual planning considerations in relation to:

- Highway and pedestrian access, including the safety of such accesses;
- Environmental considerations – including the impact of proposals on landscape and heritage matters, ecology, agricultural land quality and flood risk, taking into account the probable impacts of climate change;
- Implications for any relevant planning policies in respect of the Green Belt or AONB.

The site selection process should involve a transparent, logical and consistent assessment of alternative sites in order to identify the most appropriate, sustainable and deliverable site. The assessment of available, potential sites may conclude that, because of site constraints or other policy considerations, fewer dwellings may be proposed than would meet the total need identified in the local housing survey.

The willingness of the landowner to provide a site on acceptable terms and development costs will be a key factor in deciding whether a site is feasible and deliverable.

If an appropriate site emerges, detailed proposals should be presented to confirm the feasibility of developing the site, taking account of the identified needs and the planning and financial constraints which apply.

8.4 Selection of a Housing Provider

A housing provider can be selected at various stages of the process. The Parish Council should be involved in the selection of the provider and should work closely with them. Occasionally, a provider may have initiated the process to meet local Affordable Housing need and sought the involvement of the Parish Council. Ideally a Registered Provider should be involved from an early stage and be a member of the HomesWest panel. Community led proposals, for example through a Community Land Trust (CLT), would be encouraged and supported by the council.

8.5 Market Housing

Paragraph 77 of the NPPF requires local authorities to “...support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.”

Core Strategy Policy CS19 therefore allows for a small element of market housing to be developed on Rural Exception Sites to facilitate this where sufficient public subsidy is not available.

Developers will, however, need to demonstrate that all reasonable endeavours have been made to seek grant to deliver an Affordable Housing scheme before proposals for an element of market cross-subsidy will be considered.

Proposals containing an element of market housing to improve viability should be supported by an open book viability assessment, which demonstrates that the proposed number of market dwellings is necessary for the successful delivery of the development and is based on reasonable land values as an exception site. The council will review the scheme viability assessment or commission an independent review, if appropriate, for which the developer will bear the cost.

The council expects exception site land values to be above agricultural values but will permit only the minimum number of market homes required to deliver the scheme. The dominant tenure will be expected to be Affordable Housing. In areas with little Affordable Housing even small quantities of new market units might have a significant impact and proposals will be assessed accordingly. There is a balance to be struck between the financial return to the landowner which enables the site to come forward for development and the impact on the affordability of the Affordable Dwellings for the occupants.

Individual proposals will be assessed on their merits, taking account of viability considerations. There will be no separate requirement under Policy CS18 for Affordable Housing in respect of any market element. However, any CIL charge which the council decides to implement will be levied on the market dwellings.

8.6 Planning application and implementation of CS19

All key stakeholders should work together throughout the consultation, planning and development process. It is expected that in most cases, and with the support of the Parish Council, a housing provider will submit a planning application, after carrying out all site surveys and investigations.

The planning application should confirm the evidence of local need, based on the housing needs survey. The application should be supported by a transparent, logical and consistent assessment of alternative sites, including a reasoned justification of the proposed site. The application will be considered in accordance with other relevant Core Strategy policies. Whilst there can be no presumption that planning consent will be granted, early engagement and support from all interested parties from the start of the process will do much to ensure a successful application.

All applicants must be registered on the council's Housing Register. All properties will be advertised through the Choice Based Lettings system (HomeChoice) or through the Help to Buy agent for intermediate Affordable Housing. The housing provider will receive a shortlist of housing register applicants who have bid for the properties and will allocate tenancies according to council's allocations policy, in line with the local connection criteria contained in the legal agreement.

8.7 Entry Level Exception Sites

The NPPF 2019 Paragraph 71 introduces support for the development of entry-level exception sites, unless such need is already being addressed within the local planning authority's area. The provisions read as follows: Local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area. These sites should be on land which is not already allocated for housing and should:

- comprise entry-level homes that offer one or more types of Affordable Housing as defined in Annex 2 of this NPPF 2019;
- should not be larger than one hectare in size or exceed 5% of the size of the existing settlement.
- should not be permitted in National Parks (or within the Broads Authority), Areas of Outstanding Natural Beauty or land designated as Green Belt
- be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in the NPPF 2019 and comply with any local design policies and standards, in line with those required for Rural Exception Sites

9.1 Extra Care Housing

The South Gloucestershire Core Strategy commits the council to achieving a wide variety of housing types and sizes to accommodate a range of different households across income and age scales. Similarly, para 61 of the NPPF requires planning policies to address the need for all types of housing including “older people, people with disabilities...”.

In policy CS20, provision is made for Extra Care Housing as one form of housing to meet the needs of an ageing population. The number of older people in South Gloucestershire aged 65 years and over is projected to increase in the years between 2011 and 2021 by over 18,200 or 34%¹. The council envisages a continuing need for Extra Care Housing and will therefore encourage the development of the market for Extra Care Housing.



Extra Care Housing

1. Source: ONS interim 2011 based projections

9.2 Definition of Extra Care Housing

For the purposes of this guidance for the implementation of policy CS20, Extra Care Housing will be regarded as a model of housing that combines independent housing with flexible levels of care and support. Schemes might incorporate purpose-built, self-contained and accessible rented, shared ownership, or leasehold accommodation.

Extra Care is one important component of a continuum of housing designed to meet the needs of an ageing population where care and support needs can be focussed into individual housing developments as required. The **Housing Learning and Information Network (LIN)** has identified the key features of Extra Care. Extra Care has therefore gained prominence as the generic description of housing with care and support.

Whilst policy CS20 specifically refers to the provision of Extra Care, to ensure consistency it is intended to apply similar planning principles to other housing schemes which are similar in nature and with similar characteristics.

9.3 The Wider Benefits of Extra Care Housing

When considering Extra Care schemes the council will take into account the wider planning and housing market benefits of providing this type of accommodation for older people as well as the personal wellbeing and social care benefits of any proposals.

9.4 Development Criteria and Building Design

Schemes will be required to meet development and location criteria established for other residential developments in particular policy CS1 relating to high quality design and policy CS5 relating to location.



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Whilst there is likely to be a minimum scale of provision for Extra Care schemes in order for the particular model of care to retain viability, proposals should nevertheless be well related to their local surroundings in respect of size and design.

The council wishes to ensure that Extra Care accommodation maintains longevity in terms of appearance, cyclical maintenance, running costs, responses to climate change and adaptability to meet future lifestyles and technologies throughout the life of the building and is therefore future-proofed to ensure such adaptability. Older people are more vulnerable to the impact of overheating and so particular consideration should be given to designing accommodation in a way that mitigates the risk of overheating from projected increases in temperatures and the frequency and severity of heatwaves as a result of climate change.

Developers are encouraged to have regard to the council's briefing note on Extra Care Housing available on application. More information is available on

<http://www.housinglin.org.uk>

Fact Sheet 6: Design Principles for Extra Care Housing (3rd Edition) June 2020.

9.5 Access to Facilities

Policy CS20 specifically requires Extra Care schemes to be located so that residents can access local facilities. Schemes should provide safe links to the immediate local road and footpath system, have access to local transport facilities and be well integrated into the local community, close to local facilities that the Extra Care residents can use.

CS20 also requires schemes to provide ancillary, communal facilities to complement those available locally, whilst avoiding duplication, with some access provided to the wider community.

Such facilities might range from small scale provision such as a restaurant, bar or hairdresser, to extensive facilities such as a library, crafts/woodworking room, gym/leisure facilities and even dedicated transport (depending on the economics of the development).

In submitting a planning application for an Extra Care scheme, the developer will need to show how local community links might be developed. Consequently, in any grant of planning consent, developers will be required to reach an agreement on access to ancillary facilities and/or activities within a scheme by the local community, unless it is deemed inappropriate in the context of a specific scheme.

9.6 Location of Extra Care Schemes

Policy CS20 requires the new neighbourhoods identified in Policies CS26 (Cribbs/Patchway), CS27 (East of Harry Stoke) and CS31 (North Yate) to make provision for Extra Care Housing.

The council will seek to secure Extra Care Housing, through negotiation and partnership working, on suitable sites in the district, focussing both on the Core Strategy new neighbourhoods and on major sites in other locations, where factors indicate that a demand or need exists and which would provide attractive environments for such housing as part of a wider integrated development.

Sites are likely to be appropriate for Extra Care provision on-site, either as part of a dedicated development of Extra Care, a larger Continuing Care Retirement Community, or a much larger mixed residential development.

9.7 Extra Care Housing and Section 106 Obligations including Affordable Housing

Extra Care schemes will be subject to planning obligations under S106 agreements depending on the specific characteristics of the relevant scheme. The obligation to make an Affordable Housing contribution will depend on which Use Class Order the council considers the scheme to be.

The particular characteristics of Extra Care Housing are likely to make it more expensive to deliver than general market housing, which may affect its ability to provide a full Affordable Housing contribution. However, this may be offset by other planning obligations, such as contributions towards education, which may not apply to Extra Care Housing. Where viability is an issue, it will be assessed in the same way as any other scheme

Extra Care Housing can take a variety of forms which can influence whether it is classified as C2 or C3. The nature and type of service and accommodation in a scheme will determine the Use Class and therefore whether or not it needs to accord with the provisions of CS18 in providing an Affordable Housing contribution where this is viable and appropriate.

The council will regard the following factors as indicating that a development falls within Use Class C3 and therefore subject to the Affordable Housing requirements of policy CS18:

- Units within a scheme consist of single, self-contained units of occupation being used as a single dwelling for an individual household;
- Units are designed, or adapted, for residential purposes - containing the normal facilities for cooking, eating and sleeping associated with use as a dwelling house i.e. they afford the facilities required for day to day private domestic existence.

In relation to Extra Care schemes, the factors which differentiate C2 and C3 are those relating to the predominant level of care provided and whether it is provided as a condition of residency, which is more likely to indicate a C2 classification. However, receiving a care service does not in itself necessarily determine it as C2 accommodation if it is not a requirement.

If the level of care provided is high or equivalent to the service normally associated with residential care homes, a C2 classification would be indicated.

The council will take all the characteristics of a scheme into account in determining the Use Class and will not consider any one factor as the defining criterion.

Where the development of Extra Care Housing forms part of a larger development, for example in a retirement community which might contain C2 residential nursing home accommodation, the individual parts of the development will be treated separately in determining their use class, providing they are in separate buildings.

9.8 The Affordable Housing Requirement

Where a C3 use is determined, an Extra Care Housing scheme will be subject to the provisions of CS18 and be required to achieve 35% Affordable Housing on-site, subject to viability considerations.

The composition of the Affordable Housing will be the subject of negotiations and may be Extra Care Housing or General Needs housing or a mixture of both. Factors influencing Affordable Housing type will include the physical nature of the development, the flexibility of the site in providing for a range of needs, and the housing need assessed by the SHMA or as superseded by the LHNA.

Policy CS18 seeks on-site provision of Affordable Housing except “...in exceptional circumstances where it can be robustly justified”. However, there may be circumstances in which the council seeks off-site provision, or a broadly equivalent financial contribution in lieu of on-site provision, in respect of Extra Care Housing schemes.

The government expects local authorities to monitor all housing provided through the planning system. Under the **Planning and Compulsory Purchase Act 2004**, this will take place as part of the annual **Authority's Monitoring Report** (AMR). The council already monitors Affordable Housing completions by tenure and whether delivered through the planning process or publicly funded. Subsidy details are recorded. The results are made publicly available through the AMR and published performance indicators.

The council will actively monitor the provision and delivery of Affordable Housing to ensure that the procedures for implementing Affordable Housing are up to date and meeting the council's targets. The AMR will identify the key challenges to and opportunities for the provision of Affordable Housing and revisions to be made. Market conditions and levels of affordability will also be kept under review.

The council will monitor the performance of its Registered Provider and other partners to ensure high standards of service delivery. In particular, the council will require annually, from the RPs or other Affordable Housing managers, information relating to:

- Target and affordable rents
- Rent increases
- Staircasing and other sales receipts and how they are recycled
- Management standards

Developers' delivery partners, whether a RP or other provider/manager, will be similarly monitored in relation to specific sites through the obligations contained in legal agreements.

This guidance will be kept under review in the light of all future material information.

Affordable Housing

Housing provided, with subsidy, for people who are unable to resolve their housing needs in the open market because their incomes are insufficient to meet market prices or rents. It is defined in Annex 2 of the NPPF.

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 (NPPF Annex 2).

Affordable Home Ownership

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.

Authority's Monitoring Report (AMR)

A report prepared by local planning authorities assessing progress with, and the effectiveness of, a Local Development Framework (or current Local Plan). Formerly known as the Annual Monitoring Report.

Code for sustainable homes (withdrawn)

A national standard for sustainable design and construction of new homes. Since April 2007 the developer of any new home in England can choose to be assessed against the Code. The Code uses a 1 to 6 star rating system to indicate the overall sustainability performance of a new home.

Dwelling

A dwelling is defined as a self-contained unit of accommodation. Self-containment is where all rooms (including kitchen, bathroom and toilet) in a household's accommodation are behind a door which only that household can use. Non-self-contained household spaces at the same address are counted together as a single dwelling. Therefore a dwelling can consist of one self-contained household space or two or more non-self-contained household spaces at the same address.

Entry Level Exception Sites

A site that provides entry-level homes suitable for first time buyers (or equivalent, for those looking to rent). See NPPF 2019 paragraph 71.

Extra Care

Self-contained accommodation which provides flexible care and support arrangements to meet the increasing needs of people whilst enabling them to stay in their homes as they get older. (Department of Health, Care Services Improvement Partnership, Housing Learning and Improvement Network: Fact Sheet 6 – Design principles for Extra Care).

Help to Buy Agent

An organisation appointed by Homes England for a Housing Market Area to market intermediate housing to eligible households and to administer the Government's Help to Buy scheme for market homes.

HomeChoice

The council's choice based lettings system. The council's waiting list of applicants is known as the **HomeChoice Register**.

Homes England

The Government agency, sponsored by The Ministry of Housing, Communities and Local Government, which administers the subsidy (known as Affordable Housing Grant) to help them develop new affordable homes. **Homes England** replaced the Homes and Communities Agency (HCA) in January 2018. The HCA's role in regulating the activities of Registered Providers (RPs) /Housing Associations (HAs) was taken over by the **Regulator of Social Housing**.

Housing Quality Indicator (HQI)

A measurement and assessment tool designed to allow housing schemes to be evaluated on the basis of quality rather than simply of cost. The HQI assesses the quality of a housing project using three main categories: location, design and performance. These are subdivided into ten sections - the Indicators. An HQI assessment generates separate scores for each Indicator producing a profile of the scheme, and an overall HQI score. The system was developed behalf of the Department for Transport, Local Government and the Regions (now Communities and Local Government) and the Housing Corporation.

Housing Strategy 2013-2018

The council's vision for housing in South Gloucestershire based on the four themes set out in the **South Gloucestershire Sustainable Communities Strategy**:

Housing and our economy: Affordable, sustainable and investing in communities

Housing and healthier living: Quality, choice, right for you

Housing within communities: **Friendly**, safe communities we are proud of

Housing and our place: Well-planned places for a greener future.

Lifetime Homes Standard (withdrawn)

A standard of housing established by the Joseph Rowntree Trust which would enable someone with physical or sensory impairment to live comfortably in their home or for the home to be easily adapted to meet their needs. Now withdrawn and replaced in most aspects by the optional Building Regulation Part M4(2).

Local Housing Allowance (LHA)

Local housing allowance (LHA) is the maximum amount of rent that can be used when calculating entitlement to housing benefit, depending on the number of people in a household and where a property is located. South Gloucestershire is covered by four different Broad Rental Market Areas (BRMA); Bristol, Gloucester, Bath and West Wiltshire. The council can provide information on the coverage of each BRMA.

Local Housing Need Assessment (LHNA)

An assessment of the estimated demand for market housing and need for Affordable Housing in a defined geographical area, in terms of distribution, house types and sizes and the specific requirements of particular groups and which considers future demographic trends.

Ministry of Housing, Communities and Local government (MHCLG)

The Government department with specific responsibility for communities and local government, covering planning, housing and regeneration.

Registered Provider (RP)

A not-for-profit organisation, usually a housing association but which may include developers, registered by the HCA to provide Affordable Housing.

Right to Acquire

Gives eligible housing association tenants the right to buy their home at a discount, as long as it was bought or built with public funding after the 31st March 1997.

Right to Buy

Gives eligible council tenants the right to buy their council home at a discount.

Section 106 agreement

A legal document made under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) binding developers and the council into carrying out specific works or payments of money that are necessary to allow the development to go ahead.

Secured by Design (SBD)

A Police initiative supporting the principles of "designing out crime". It uses effective crime prevention and security standards for individual houses and residential sites. Schemes are certified by the Crime Prevention Design Advisor. Most aspects are contained within Building Regulation Part Q.

Shared ownership

A form of Affordable Housing which is partly sold and partly rented to the occupiers

Social Rented Housing

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 and the Regulator of Social Homes.

Staircasing

The means by which leaseholders purchase additional equity shares in a share ownership property, leading to the eventual transfer of the freehold.

Strategic Housing Market Assessment (SHMA)

An assessment of the estimated demand for market housing and need for Affordable Housing in a defined geographical area, in terms of distribution, house types and sizes and the specific requirements of particular groups and which considers future demographic trends. It will be replaced by the Local Housing Needs Assessment (LHNA).

Supplementary Planning Document (SPD)

A document that supplements and elaborates on policies and proposals in development plan documents.

Sustainability Appraisal (SA)

An appraisal of the social, environmental and economic effects of the strategies and policies of a local development document from the outset of the preparation process. It incorporates the requirements of the European Environmental Assessment Directive.

Target rents

Guideline rents for social rented housing, determined through the national rent regime contained in the Three Year Review of Rent Restructuring which became policy in April 2006. They are calculated with reference to local incomes and house prices.

West of England (WoE)

A sub-region which encompasses the administrative areas of Bath and North East Somerset Council, Bristol City Council, North Somerset Council and South Gloucestershire Council

| Appendices

1

Core Strategy policies CS18, CS19 & CS20

Affordable housing

Policy CS18 – Affordable housing

The council is committed to improving affordable housing provision to meet housing need in South Gloucestershire. This will be achieved through:

requiring developers to achieve 35% on-site affordable housing on all new housing developments, normally without public subsidy, in urban areas of 10 or more dwellings, or 0.33 hectares irrespective of the number of dwellings (except in rural areas where the threshold will be 5 or more dwellings or 0.20 hectares); unless the developer demonstrates that the economic viability of a particular site is affected by specific factors and as a result that a lower percentage should be provided without public subsidy, in which case other financial contributions should be sought to achieve the 35% requirement;

delivery of direct provision on sites by registered providers,

the delivery of Rural Housing Exception sites in accordance with Policy CS19;

providing affordable housing in suitable mixed use schemes, where this would form a viable element of a commercial development, and through existing properties in need of investment brought back into use as permanent affordable housing by registered providers;

seeking off-site provision, or a broadly equivalent financial contribution in lieu of on-site provision, but only in exceptional circumstances where it can be robustly justified, for the provision of affordable housing elsewhere in South Gloucestershire; and

empowering local communities through opportunities presented by Neighbourhood Planning.

In implementing this policy the council will negotiate the maximum level of affordable housing on each site that is feasible up to the 35% figure and will aim to ensure that:

- developments contribute to a range of housing provision in local areas, with the aim of achieving mixed and balanced communities, and refer to the findings of the Strategic Housing Market Assessment, (and in rural areas, where appropriate, to local housing needs surveys) in providing the specific housing mix required to meet housing needs; and that

the different types of defined affordable housing are used effectively to maximise appropriate provision in line with the West of England Strategic Housing Market Assessment 2009 or as updated by future housing market assessments;

The council will further develop policy guidance on affordable housing through updating and replacing the current SPD including its approach to the calculation of financial contributions and to the provision of affordable housing in Extra Care Housing schemes.

Evidence of housing need

- 10.28 The findings of the West of England (WoE) Strategic Housing Market Assessment (SHMA), May 2009, which was undertaken in line with good practice advice published by the government, provide the background to this policy. The study shows that there is a high need for affordable housing in the West of England that is not being met through existing policies.
- 10.29 In South Gloucestershire there is an estimated average annual need for 903 new affordable housing units over the period 2009 to 2021 compared to a potential average annual housing supply (both market and affordable) of around 1100 units. The proportion of younger households able to buy or rent in the market had fallen from 52.3% in 2002 to 45.3% in 2007. Other key features are the large backlog of need for affordable housing, the projected annual increase of newly forming households continuing to need social rented accommodation, and the relatively small existing stock of affordable housing limiting the ability to meet needs through re-lets.

Percentage of affordable housing

- 10.30 The main source of new affordable housing is expected to arise through Section 106 agreements on sites for market housing. The council requires 35% of affordable housing on such sites given that a range of market conditions need to be taken into account, a position supported by the SHMA; para.10.34 sets out how the impact of current market conditions will be considered. The expectation is that such affordable provision would normally take place without public subsidy. However, the economic viability of individual site developments would be considered where the developer raised a site viability issue and a site appraisal was undertaken.
- 10.31 The definition of affordable housing is as set out in national policy and includes social rented housing, affordable rented and intermediate affordable housing. Where affordable rent is provided, flexibility will be sought to provide such affordable rent housing at rent levels best suited to prevailing local levels of income whilst achieving a policy compliant percentage of affordable housing.
- 10.32 Delivery will comply with the provisions of national policy and other published national guidance. All provision will therefore include the expectation that affordable homes provided remain at an affordable price for future generations of eligible households and for the subsidy to be recycled for alternative affordable housing provision within South Gloucestershire where this is not so.

- 10.33 On sites allocated solely for affordable housing, or where only affordable housing is proposed, there will be no requirement to deliver a percentage without public subsidy where the threshold is exceeded, as set out in this policy, providing that the proposed affordable housing meets identified need and complies with the requirements of the Affordable Housing Supplementary Planning Document.
- 10.34 The expectation is that affordable housing will be provided on the application site. However, where it can be robustly justified, off-site provision, or a financial contribution in lieu of on-site provision of broadly equivalent value may be accepted, providing the agreed approach contributes to the creation of mixed communities in South Gloucestershire.

Threshold (size of site)

- 10.35 The size site threshold at which on-site affordable housing should be provided will be set at 10 dwellings or above in urban areas, or 0.33 hectares irrespective of the number of dwellings, and 5 dwellings or above in rural areas, or 0.20 hectares, in order to maximise the provision of affordable housing whilst acknowledging viability issues. Some flexibility will need to be maintained to take account of site specific issues which may have a particular impact on smaller sites. The approach to seeking off-site contributions towards affordable housing will be set out in the Policies, Sites and Places DPD.
- 10.36 In accordance with Policy CS16 Housing Density all housing development will also be expected to make efficient use of land, maximising the amount of housing supplied. Therefore, where a planning application for residential development is made on a site, and the dwelling numbers proposed fall below the thresholds for affordable housing provision set out in Policy CS18, then an assessment of the housing density appropriate to the site will be made with a view to determining whether affordable housing should be required.
- 10.37 Similarly, where it is proposed to phase development, sub-divide sites or where recent sub-division has taken place, or where there is a reasonable prospect of adjoining land being developed for residential purposes in tandem, the council will take the whole site for the purpose of determining whether the scheme falls above or below the site thresholds for the provision of affordable housing.

Site viability

- 10.38 The 35% figure is considered a robust target, capable of being achieved in an improving housing market in the medium to longer term, where a real increase in housing prices can be anticipated. In some cases, higher percentage targets have been achieved, but these have generally been in areas of higher land value where different viability conditions apply.
- 10.39 In a less favourable national economic climate, and without a real increase in house prices, then for some sites, total reliance cannot be placed on funding through land values alone to deliver this 35% affordable housing figure. A combination of other financial support measures therefore may be required to achieve the 35% target.
- 10.40 In finalising targets it will be important not to jeopardise the overall delivery of housing within South Gloucestershire that is required to meet both market and affordable need; a continuing supply of deliverable and developable residential sites being a requirement of national guidance.
- 10.41 Therefore, in seeking to negotiate the maximum level of affordable housing on each site, the council will have regard to the economic viability of site development, likely costs, market conditions, the availability of public subsidy and the aim of achieving a mixed and balanced community. Developers will be expected to demonstrate the validity of such viability factors, providing supporting evidence. This, the council will seek to verify independently, with the developer being liable for reasonable costs incurred by the council.
- 10.42 Where developers have clearly demonstrated that scheme viability prohibits the full provision of affordable housing, the council may support an application for grant funding, or consider alternative financial support measures, to increase affordable housing provision to the 35% target figure. Alternatively it may negotiate a lower level of affordable housing provision and/or a different housing mix. Where public subsidy has been made available, unrelated to viability, the council will consider seeking additional affordable housing above the targets where viability is not jeopardised.

Rural areas

- 10.43 Local communities will be empowered to shape the future of their own areas, including the provision of affordable housing, through opportunities presented by Neighbourhood Planning. In the absence of an adopted Neighbourhood Plan, Policy CS19 sets out the approach to rural housing exception sites. This policy allows for affordable housing to be developed in locations where market housing would not normally be acceptable, subject to there being an identified local need. Where it can be satisfactorily proved that an element of market housing will facilitate the delivery of affordable housing to meet the identified local affordable housing need this will be allowed subject to the proposals fulfilling other requirements of the policy. A legal obligation will limit occupancy to those with a local connection. Where there are small rural schemes for market housing, an affordable housing element will be sought on sites of five dwellings, or 0.20ha and over.
- 10.44 The particular shortage of affordable housing supply in rural areas, and the need to maintain and sustain rural communities, is recognised by the council. Therefore, in planning agreements related to market housing sites where affordable housing is provided, consideration will be given to seeking specific provision for those who have both a housing need and a defined local connection to a settlement, or group of settlements, where evidence is available through local needs assessments that such needs exist. The development of a local connections policy will take place during the preparation of a future supplementary planning document.

Improving affordable housing provision

- 10.45 In order to further expand the provision of affordable housing, and recognising that there will be some residential sites that fall below the proposed size thresholds, it is also proposed that in future (a) consideration is given to seeking mixed use provision in suitably located commercial schemes so that a housing element might be provided, and (b) additional investment might be put into bringing more empty homes back into use by registered providers as permanent affordable housing, where these have fallen into disrepair and/or remained vacant for a long period. The use of commuted sums made in lieu of on-site provision will be considered for this purpose.
- 10.46 The SHMA provides guidance on the tenure split, type and mix of affordable housing the council will seek in development schemes and developers will be expected to incorporate this guidance into housing proposals to ensure that affordable housing provision addresses housing need.

10.47 Within the wider context of Policy CS20 (Extra Care Housing), the council will seek to deliver an affordable element in Extra Care schemes. These schemes are designed specifically to promote independent living in self-contained flats, predominantly for older people, who are also able to access high quality flexible support and care services on-site to suit their needs, and use a range of on-site communal facilities. In applying the affordable housing policy particular considerations will pertain because of the special nature of this accommodation; it will not normally be appropriate to seek the general size/type mix of housing set out in the SHMA.

Delivery

10.48 Affordable housing will be delivered within the framework of this Core Strategy and the council's Housing Strategy and will also need to reflect Government policy. Delivery will be supported by more detailed guidance on policy requirements and implementation matters in a revised Supplementary Planning Document. The precise details of quantities, type and mix of affordable housing on specific sites will be a matter for negotiation with the Housing Enabling team and Planning Officers. Delivery will support the wider objective of creating sustainable, inclusive and mixed communities. To this end, affordable housing will normally form part of the overall development, well integrated with market housing. The "pepperpotting" of affordable housing in small clusters within mixed tenure developments will be sought in accordance with the design guidance in the revised SPD. Affordable housing can also be delivered by Neighbourhood Planning

Rural housing exception sites

10.49 Where communities wish to support further housing development which would not normally be acceptable because of planning policy constraints, South Gloucestershire Council's preference would be to achieve this by empowering local communities through opportunities presented by Neighbourhood Planning. In the absence of an adopted Neighbourhood Plan the following policy will be applicable.

Policy CS19 – Rural housing exception sites

Proposals for permanent affordable housing to meet an identified local need (including a small element of market housing where this will facilitate the successful delivery of the affordable housing) will be permitted as an exception on sites where market housing would not normally be acceptable.

Proposals should be:

- supported by an approved housing needs survey;
- well related to a rural settlement;
- modest in scale and in keeping with the form and character of the settlement and local landscape setting; and
- supported or initiated by the appropriate Parish Council.

Permission will be subject to conditions, or a legal obligation will be negotiated, to ensure that the affordable housing is reserved in perpetuity for those in local affordable housing need.

- 10.50 The council is committed to delivering affordable homes in the rural areas to meet the identified local needs of households unable to meet their housing needs on the open market and to promote inclusive and thriving communities.
- 10.51 This policy allows for the development of affordable housing in rural locations where market housing would not normally be acceptable, because of planning policy constraints, subject to there being identified need. This policy will deliver both 100% affordable housing sites and sites where it can be satisfactorily proved that a small element of market housing will facilitate the delivery of affordable housing to meet identified local housing need where sufficient public subsidy is unavailable, subject to the proposals fulfilling the other policy requirements. Proposals containing an element of market housing should be supported by a viability assessment, which demonstrates that the proportion of market housing provided should be no greater than that required to deliver the agreed amount of affordable housing identified from an approved housing needs survey.
- 10.52 Proposals must be well related and in sympathy with the scale, form and character of the settlement and the locality and should pay particular attention to the local distinctiveness of the settlement and the surrounding area. Environmental considerations including landscape and heritage matters and other constraints, including the impact on the openness of the Green Belt and AONB policy, may determine the number of dwellings considered to be acceptable. This may result in fewer dwellings than that identified in the local housing need survey (see paragraph 10.55).
- 10.53 Proposals must be well related, in terms of their physical proximity and design, to an existing rural settlement.

- 10.54 The identification of appropriate sites and design principles will be best achieved through an appraisal of the whole rural settlement concerned and should include engagement with the communities/parishes concerned. Where proposals include an element of market housing, the design of the site and individual units should ensure integration with the affordable housing. Development should be supported by the appropriate parish council.
- 10.55 Development proposals should be consistent with the local need identified by a housing need survey carried out in the last 5 years in accordance with national or any superseding council approved guidance covering the rural settlement or parish (or group of rural settlements or parishes) to which the proposal is related. Advice on the preparation of these surveys and their validation can be obtained from the council. The local housing needs survey must demonstrate that there is a genuine local need for affordable housing within the rural settlement /parish (or group of rural settlements or parishes) from people who are or have been closely connected with the rural settlement /parish (or group of rural settlements or parishes) due to family ties, support network, birth or formative years spent in that locality or who have an existing employment connection to the area covered by the survey.
- 10.56 Affordable housing on rural exception sites will be subject to a condition or legal obligation, which limits occupancy to those with the local connection, defined in paragraph 10.55 above. Should dwellings remain unoccupied for a period of time a cascade approach to widen the area of connection will come into effect. The cascade approach will be defined in a legal agreement, together with details of how the dwellings will be reserved as affordable in perpetuity.
- 10.57 Policy CS18 does not apply to Policy CS19.
- 10.58 Rural communities are encouraged to undertake local housing needs surveys and prepare parish plans and/or design statements to set out the future needs and aspirations for their communities, in order to help inform proposals for rural housing exception sites and provide information to assist in determining such applications. The council expects that affordable housing will also be delivered by Neighbourhood Planning.
- 10.59 Should rural affordable housing not be delivered in sufficient numbers through Neighbourhood Planning, the Rural Housing Exceptions (Policy CS19) and the Affordable Housing (Policy CS18), then consideration will be given to allocating Affordable Housing Only Sites in or adjoining a rural settlement. This will be considered in conjunction with the review of the defined settlement boundary approach to villages outlined in the text to the Rural Areas Policy CS34 and will involve engagement with local communities and other stakeholders/partners. Any such allocations will be identified in the Policies, Sites and Places Development Plan Document and will need to be supported by up to date and validated local housing needs surveys.
- 10.60 The council will prepare a revised Affordable Housing Supplementary Planning Document to amplify this policy and Affordable Housing Policy CS18.

Delivery

- 10.61 This policy will be delivered through partnership working with parish councils, rural landowners, the council (as planning and housing authority) and affordable housing providers approved by the council.

Extra Care Housing

Policy CS20 – Extra Care Housing

In order to assist in meeting emerging need, and creating sustainable, inclusive and mixed communities, the provision of Extra Care Housing will be required in South Gloucestershire, including in the new neighbourhoods identified in Policies CS26, CS27 and CS31.

Regard will be had to the nature of a scheme to determine whether it comes within category C2 or C3 of the Use Classes Order and is subject to the provisions of Policy CS18 in relation to affordable housing provision.

Extra Care schemes should be located so they are accessible to local facilities, proportionate in scale to the locality and provide ancillary facilities as part of the development. These ancillary facilities should complement locally available amenities and be made available to the wider community.

- 10.62 The strategic importance of Extra Care as an alternative accommodation choice for older people and those with special needs is reflected in the Sustainable Community Strategy, the council's Corporate Plan, the Housing Strategy 2013-18 and the Better Services for Older People programme.
- 10.63 For most people Extra Care Housing is designed to be a home for life. It promotes independent living in self-contained accommodation, where people are able to readily access high quality, flexible support and care services on site to suit their needs. Differing from traditional sheltered/ retirement accommodation, schemes also incorporate a wide range of communal facilities, available not only to service users but also as a potential resource for the wider community.

- 10.64 Community inclusion is a central ethos of Extra Care Housing. Communal spaces can be used by health and social care partners to deliver a menu of services on site and into the community. A range of facilities, dependent on the scale and location should be considered to improve the health, fitness and well-being of individuals and provide a 'lifestyle' option. These facilities may range from a communal living room, small shop, hairdressing salon, gym and café/bistro to specialist health care facilities. Such facilities should complement the amenities available in the locality, not compete with them. Residents should be able to access locally available amenities as well, either by foot, mobility scooter or community/public transport.
- 10.65 Extra Care Housing schemes will be required throughout South Gloucestershire and the council will particularly look to the strategic housing allocations set out in Policies CS26, CS27 & CS31 to deliver such schemes as an integral part of those developments. Extra Care Housing can take a variety of forms which influence whether it is classified as a C2 or C3 use under the relevant Use Classes Order. The council will consider the nature and type of accommodation to be provided in each scheme in order to determine this and whether the proposal needs to accord with the provisions of Policy CS18 in relation to affordable housing contributions where this is viable and appropriate.
- 10.66 Developers will be encouraged to contribute to the provision of homes that are suitable for the needs of older people, persons with disabilities and those with other special needs, in a way that integrates these people with the wider community in accordance with Policy CS17 (Housing Diversity). This could include Extra Care Housing.
- 10.67 Extra Care should be part of wider, balanced communities. Stand-alone schemes should not be separate, gated developments. Equally, where provision is proposed as part of a larger development, Concept Statements and master plans should clearly define the scale and location of the Extra Care provision.
- 10.68 The Affordable Housing SPD will set out in greater detail how this policy will be implemented.

Delivery

- 10.69 Extra Care Housing is currently being delivered by the council using a capital programme to meet the present need.
- 10.70 Delivery will be through partnership working with the council (as planning and housing authority) and affordable housing providers approved by the council and private developers.
- 10.71 Consideration will also be given to meeting emerging need by allocating sites through the Sites and Policies, Sites and Places Development Plan Document.

2

The Residual Valuation Model

A residual valuation model will be used to assess the impact of planning obligations on the viability of a development, calculating a residual land value as follows:

Gross Development Value minus **Gross Development Costs** equals **Residual Land Value**

Gross Development Value (GDV) – Total revenue generated by the market value of all elements of a scheme including both commercial and residential (affordable and open market) floor areas and to include, with supporting evidence:

- Schedule of units and areas – gross internal areas (GIAs) of all units (sq.m.)
- Market values of all units (residential sale values and yields from commercial elements)
- Ground rent values for leasehold properties
- Value of Affordable Housing units for each tenure type
- Any grant funding for additional Affordable Housing above 35%

Gross Development Costs (GDC) – Total development costs to build the new development and to include, with supporting evidence:

- Construction costs
 - base build costs assessed using standard guidance (e.g. Building Cost Information Service [BCIS]) in a Quantity Surveyor's report or a QS Cost Plan for the proposed development.
 - external site costs
 - additions required by local requirements/standards, such as the provisions for climate emergency mitigation set out in PSP 6
- Abnormal costs due to site conditions including demolition of existing structures on redevelopment sites, site decontamination, land remediation costs, abnormal foundations, site clearance
- External costs including estate roads, landscaping, services to properties, sustainable urban drainage systems
- Major Infrastructure costs i.e. major new services and highways

- Professional and planning fees including those to architects, quantity surveyors, planning consultants, engineers, project managers, and the local authority
- Planning obligations –Section 106 contributions required by the local authority
- Community Infrastructure Levy – any CIL charges levied by the local authority
- Land acquisition costs including agent fees, legal fees and Stamp Duty Land Tax.
- Finance costs - fees charged by a bank or other financial institution for borrowing money to undertake the development; to be calculated as a cash flow with a programme included showing build and sales periods
- Developers profit- the required return to the developer for taking the development risk and delivering the scheme expressed as a percentage of the GDV for each tenure
- Marketing costs including promotion, show houses, letting agents and legal fees

Residual Land Value – The result of such an assessment is the Residual Land Value that the proposed scheme, taking into account the assumptions made, can generate for the site.

Viability – A viable site is where the residual value produced by the proposed scheme exceeds the Benchmark value for the site in its present state, as a serviced or un-serviced development site, or as a green field site, with the market value having regard to all development plan policies and all other material planning considerations and disregarding that which is contrary to the development plan.

Benchmark Value is the site in its current use value known as Existing Use Value plus a premium to encourage an existing land user to sell for development.

3

Urban, Rural and Protected Areas

Defining urban and rural areas in South Gloucestershire

The definitions of urban and rural areas in the Affordable Housing and Extra Care SPD South Gloucestershire are based on those used in the Core Strategy. The South Gloucestershire area has been divided into 6 areas as follows:



- 1 The communities of the North Fringe of Bristol urban area (including the communities of Filton, Patchway, Bradley Stoke, Stoke Gifford, Harry Stoke and Frenchay)
- 2 The communities of the East Fringe of Bristol urban area (including the communities of Downend, Emersons Green, Mangotsfield, Staple Hill, Soundwell, Kingswood, Warmley, Cadbury Heath, Oldland Common, Longwell Green and Hanham)
- 3 Yate and Chipping Sodbury
- 4 Thornbury
- 5 Rural Areas
- 6 Severnside

Designated Protected Areas

Government legislation has created measures to ensure that rural shared-ownership Affordable Housing remains available for local people. This is done by placing certain restrictions on shared ownership Affordable Housing in some rural areas. Parishes or certain parts of parishes have been designated as 'protected areas' and are listed in schedule 3, part 8 and schedule 4, part 8 under The Housing (Right to Enfranchise) (Designated Protected Areas) (England) Order 2009 No.2098.

The link below relates to Schedule 3 – listing whole parishes designated as protected areas in the South West:

<http://www.legislation.gov.uk/ukxi/2009/2098/schedule/3/made>

The link below relates to Schedule 4 – listing parts of parishes designated as protected areas in the South West:

<http://www.legislation.gov.uk/ukxi/2009/2098/schedule/4/made>

Maps illustrating those parts of a parish designated as a protected area are available on request from the Strategic Housing Enabling Team (01454 865599).

Further government **guidance**, updated in June 2020, is available. Under certain circumstances, where Homes England is providing grant funding for a particular scheme, local authorities may agree to apply to Homes England to waive the grant conditions attached to the shared ownership homes so that the restrictions are lifted. However, if the restrictions have been imposed through a s106 agreement, without Homes England grant funding, then Homes England cannot waive those conditions.

Examples of circumstances where the council may consider agreeing to apply to Homes England for a waiver include major developments in strategic urban extensions and new neighbourhoods in previously rural areas which have been designated as Protected Areas under the legislation. When considering whether or not to support a waiver, the following factors will be taken into account:

- a. Homes England is able to waive the restriction, i.e. the shared ownership home is grant funded,
- b. the RP provides evidence that the shared ownership home could not be delivered without a waiver or
- c. the proposed Affordable Housing scheme would not proceed if hampered by DPA restrictions,
- d. the shared ownership unit could be replaced if it is sold on the open market or there is an adequate supply of alternative affordable home ownership options and
- e. the expectation to recycle the net capital receipts in South Gloucestershire is agreed.

Local connection criteria

"Local Connection" shall mean a connection demonstrated by a person or member of their household who at the date of an Affordable Dwelling in the relevant Parish being advertised:

- (i) has been resident within the Parish of XXXXXXXX for a continuous period of three years within the preceding five years or six months in the preceding twelve months other than not of his own choice (not including serving with regular armed forces of the Crown) or
- (ii) is permanently employed within the Parish of XXXXXXXX or is moving to the Parish to take up an offer of permanent employment or
- (iii) has a close family member (e.g. parent or adult child or sibling) who is living and has lived in the Parish of XXXXXXXX for a continuous period of five years immediately preceding the date of advertising the Affordable Dwelling
- (iv) because of special circumstances.

It is the responsibility of the housing association landlord of the advertised property to assess the local connection of the applicant. This assessment may require the applicant to provide evidence such as listed below, although this is not exhaustive.

Residency – sufficient evidence to cover the relevant local connection period for prospective purchaser/tenant/close family member as appropriate

- Utility bills (water, gas, electricity, phone etc.)
- Council tax bills
- Bank/Building Society account/credit card statements
- State benefit books
- Receipts showing rent paid
- Payslips showing home address
- Written certification from either a Solicitor / Social Worker / Probation Officer / Inland Revenue Officer / Police Officer / Teacher or Doctor

Employment – sufficient evidence to cover the relevant local connection period

- Payslips showing employer's address
- Employer's letter confirming length and terms of employment (including hours worked if applicable)

Tariff System in lieu of on-site affordable housing provision

Should the council agree that an offsite payment is warranted as outlined in Para 7.6, and is robustly justified, then the following methodology will be used to calculate the commuted sum. This will be to deliver a sum payable in lieu of the on-site affordable housing as outlined in the NPPF Para 62.

The intention of the formulae is to deliver a simple “broadly equivalent value” approach as if the provision had been made on site which can also be easily updated on an annual basis. This is especially appropriate to small sites where the offsite payment may be accepted in lieu of say two unit and a straightforward calculation will aid an accurate land value offer by SME developers, who rarely encounter affordable housing provision and gives them certainty of payment.

It is based on principles established by neighbouring Bath and North East Somerset Council in consultation with the local small developers in that locality.

The formulae are applicable for small sites and larger sites as appropriate to the affordable housing percentage target within the Local Plan as updated by NPPF in the approach to none-major site and smaller sites in the designated rural areas.

These tariffs will form part of the initial calculation for the affordable housing and used to calculate the final off-site payment on any particular site. This Appendix assumes the calculation is based on an appropriate site where affordable housing is required in accordance with the Local Plan policies and a commuted sum has been robustly justified.

The offsite calculation is based on sample residual land value calculations for the different value areas using the principles established within different viability testing for CIL and other West of England viability report. It establishes different scheme typologies, low density, medium density, and high density² to reflect the different types of housing and a relevant affordable housing mix that would be delivered on site based on the SHMA outcomes for affordable housing. The value and build prices have been taken from BCIS and Land Registry Index to give current figures as of Q4 2019/ Q1 2020 for use for the financial year 2020/21. The figures will be updated annually or as appropriate to reflect market changes on a retrospective basis for the new financial year. The Land Registry Index and BCIS TPI will be used to make the adjustments.

2. Proposed Low Density to mean no less than 80% houses/bungalow, High Density - no less than 80% flats, Medium Density - anything in between.

Calculation of Affordable Housing financial contribution

The calculation uses a matrix of values to be applied to the proposed scheme as follows:

Table 1 – Per unit Commuted Sum per scheme type and location

| Scheme Density | Low Density | Medium Density | High Density |
|----------------|-------------|----------------|--------------|
| Lower Value | £71,100 | £58,500 | £36,800 |
| Medium Value | £83,200 | £69,700 | £45,800 |
| Higher Value | £96,700 | £81,700 | £55,200 |

All values are rounded to the nearest £100

Table 2 – List of different value areas (Ward based)

| Lower Value areas | Medium Value areas | High Value areas |
|------------------------------|---------------------|------------------------------------|
| Staple Hill and Mangotsfield | Patchway | Severn Vale |
| Kingswood | Charlton and Cribbs | Thornbury |
| Hanham | Filton | Charfield |
| Woodstock | Bradley Stoke North | Chipping Sodbury and Cotswold Edge |
| New Cheltenham | Bradley Stoke South | Boyd Valley |
| Pilning and Severn Beach | Yate North | Bitton and Oldland Common |
| | Yate Central | Longwell Green |
| | Dodington | Parkwell and Warmley |
| | | Emersons Green |
| | | Frenchay and Downend |
| | | Frampton Cotterell |
| | | Winterbourne |

Example 1

A scheme of 9 houses on 0.6 Ha, meaning that the affordable housing policy applies. In a higher value area at a lower density, the calculation would be as follows:

$9 \times 35\% = 3.15$ units.

Scheme Type is 100% Houses = Low Density

The commuted sum figure per unit is £96,700. (See column 2 row 4 in Table 1 above)

The Commuted Sum Calculation is $3.15 \times £96,700 = \mathbf{£304,605}$.

Example 2

A scheme of 15 houses and flats, meaning that the affordable housing policy applies, in medium value area, the calculation would be as follows:

$15 \times 35\% = 5.25$ units.

Scheme Type is a mix of houses and flats = Medium Density.

The commuted sum figure per unit in a Medium Value area is £69,700. (See column 3 row 3 in Table 1 above)

The Commuted Sum Calculation is $5.25 \times £69,700 = \mathbf{£365,925}$.

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Useful contacts

South Gloucestershire Council

Strategic Planning Policy and Specialist Advice Team

✉ planningLDF@southglos.gov.uk

☎ 01454 863469

Strategic Housing Enabling Team

✉ HousingEnabling@southglos.gov.uk

☎ 01454 865599

HomeChoice

✉ HomeChoiceTeam@southglos.gov.uk

☎ 01454 868005

Occupational Therapist: Private Sector Housing Team

☎ 01454 868007

Other Bodies

HomesWest

🌐 <https://www.southglos.gov.uk/documents/homeswest-contacts-2020.pdf>

Help to Buy Agent

🌐 <http://www.helptobuysouth.co.uk>

☎ 0238 062 8004

Homes England

🌐 <https://www.gov.uk/government/organisations/homes-england>

✉ enquiries@homesengland.gov.uk

☎ 0300 1234 500

Designing Out Crime Officer

👤 Kevin Wilkinson

✉ kevin.wilkinson@avonandsomerset.police.uk

☎ 07889 656105

If you need this information in another format or language,
please contact us on **01454 868009**