East Herts Council

Local Plan Second Review 2007
Supplementary Planning Document

Affordable Housing & Lifetime Homes

Planning Policy Team
January 2008

Supplementary Planning Document (SPD) to the East Herts Local Plan Second Review 2007

Affordable Housing & Lifetime Homes

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1.0 INTRODUCTION

1.1 This Supplementary Planning Document (SPD) is being prepared under the provisions of the Planning and Compulsory Purchase Act 2004 and the Town & Country Planning (Local Development) (England) Regulations 2004. In the Act, the Government introduced changes to the planning system for England.

1.2 At the strategic level, Regional Spatial Strategies (RSS) will supersede the County Structure Plans. Thus, the Hertfordshire County Structure Plan will be replaced by the RSS for the East of England: The East of England Plan prepared by the East of England Regional Assembly.

1.3 At the local level, a new portfolio of documents, known as the Local Development Framework (LDF), will replace the East Hertfordshire Local Plan. The statutory element of the LDF will be the Development Plan Documents (DPD), supported by non-statutory Supplementary Planning Documents – these will replace the existing Supplementary Planning Guidance notes. In addition, Hertfordshire County Council will prepare statutory Minerals and Waste Planning documents – these will replace the existing Minerals and Waste Local Plans.

1.4 On 18th April 2007 East Herts Council adopted its Local Plan Second Review. Under the 'transitional arrangements' this Plan will be saved for three years from its date of adoption, until subsequently replaced by the emerging LDF.

2.0 PURPOSE & STATUS

2.1 The purpose of this Supplementary Planning Document is to provide guidance on the provision of affordable housing and lifetime homes in East Herts.

2.2 East Herts Council had previously produced a Supplementary Planning Document (SPD) in February 2005 on Affordable Housing that accompanied the 1999 Local Plan. With the subsequent adoption of the East Herts Local Plan Second Review 2007 that SPD is no longer valid, and has been superseded by this SPD.

2.3 This SPD also incorporates guidance to assist in the provision of Lifetime Homes. The Council believes the provision of lifetime homes to be an important issue that is relevant to both affordable and market housing.

2.4 This SPD has been prepared in accordance with Planning Policy Statement 12: *Local Development Frameworks* (PPS12) published in 2004. PPS12 states that Supplementary Planning Documents must relate to a policy or policies in the saved plan. Thus, the Affordable Housing & Lifetime Homes SPD will supplement Policies HSG3 and HSG4 on affordable housing; Policy HSG5 on rural exceptions; and Policy HSG6 on lifetime homes of the East Herts Local Plan Second 2007. The text of the above policies is included within Appendix A of this SPD.

2.5 This Supplementary Planning Document on affordable housing and lifetime homes will be taken into account as a material consideration when determining planning applications.

2.6 This Supplementary Planning Document also supports the Council's following Corporate Priorities:

Shaping Now – Shaping the Future
Safeguard and enhance our unique mix of rural and urban communities, ensuring sustainable, economic and social opportunities including the continuation of effective development control and other measures.

Promoting prosperity and well-being; providing access and opportunities
Enhance the quality of life, health, and well-being of individuals, families and communities, particularly those who are vulnerable.

3.0 BACKGROUND & CONTEXT

3.1 One of the key features of the new planning system introduced in 2004 was the requirement that planning policies are founded on a robust and credible evidence base. In respect of affordable housing, final guidance on undertaking Strategic Housing Market Assessments (SHMA) was published in March 2007. Importantly a SHMA is broader in scope than a housing needs survey, and looks at how housing markets operate in respect of both housing demand as well as housing need.

3.2 The Council is in the process of undertaking preliminary work on a SHMA. In the meantime however, in accordance with Policy HSG4 of the adopted Local Plan Second Review 2007, the size, type and tenure of affordable housing will be determined by the housing needs of the local area as established through the results of the latest District wide Housing Needs Survey.

3.3 The Housing Needs Survey (HNS) 2004 was produced by David Couttie Associates in conformity with Planning Policy Guidance Note 3 (PPG3). In 2005 an update was undertaken in order to provide up-to-date information for the Local Plan Second Review Public Inquiry. Together these technical studies form the evidence base to inform this SPD and the Council's policies on affordable housing.

3.4 Policy HSG4 of the Local Plan Second Review 2007 also refers to the policies and objectives of the Council's Housing Strategy and developers should have regard to the content of this document as well as the requirements of the 'New Affordable Homes Commissioning Brief' which sets out the Council's requirements for the affordable housing element of new development, including tenure split, size proportion thresholds, space standards, design & quality standards, and Social Housing Grant.

3.5 All documents, including this SPD are available on the Council's website at www.eastherts.gov.uk.

4.0 DEFINITION OF AFFORDABLE HOUSING

4.1 Confusion has arisen in the past over the term 'low cost market' housing, as the term was used in Circular 6/98. However, PPS3 published in November 2006 has replaced Circular 6/98 and clearly states that 'low cost market' housing cannot be regarded as affordable housing. This is because it is available on the open market whereas affordable housing, by definition, has to be provided at a cost which households unable to meet their housing needs in the market, are able to afford.

4.2 Annex B of PPS3: Housing now provides a clear definition of affordable housing: *'affordable housing includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market'.* PPS3 differentiates between 'social rented' and 'intermediate' housing. The important point to note is that affordable housing should be available to those unable to access general market housing.

4.3 Policy HSG3 of the Local Plan defines affordable housing as follows:

'housing provided, with subsidy, both for rent and low cost market housing, for people who are unable to resolve their housing requirements in the local private sector housing market because of the relationship between local housing costs and incomes'.

Whilst the above definition includes the term 'low cost market housing', it refers to housing provided with subsidy. In other words, 'social rented' and 'intermediate' housing, which therefore complies with the definition set out in Annex B of PPS3. Low cost market housing, without subsidy, is not part of the East Herts definition of affordable housing and does not meet the Government's definition.

4.4 The term 'subsidy' refers to both private and public investment in order to deliver affordable housing and not exclusively grants from public providers such as the Housing Corporation.

4.5 In East Herts social rented housing is usually owned and managed by registered social landlords. Registered social landlords (RSLs) ensure that the rents are affordable to those in need. If no RSL is involved, then rents should be no more than those charged by RSLs in the District and this should be approved by the Council.

4.6 Intermediate affordable housing is defined in PPS3 as 'housing at prices and rents above those of social rent, but below market price or rents', and which meet the criteria of affordable housing. Intermediate housing includes the following:

- Intermediate rented homes are provided at rent levels above those of social rented but below private rented. The Government offers these to some key workers who do not wish to buy.
- Discounted sale homes have a simple discount for the purchaser on its market price, so the purchaser

buys the whole home at a reduced rate.

- Shared equity is where more than one party has an interest in the value of the home e.g. an equity loan arrangement or a shared ownership lease. There may be a charge on the loan, and restrictions on price, access and resale.

4.7 The Government launched the 'HomeBuy Scheme' in 2006 in order to enable social tenants, key workers and other first time buyers to access shared equity properties. Four products are available including Social HomeBuy; New Build HomeBuy; Open Market HomeBuy; and Extended Open Market HomeBuy. More information on this scheme is outlined in Annex D of 'Delivering Affordable Housing' (DCLG 2006) and on the Communities and Local Government website (www.communities.gov.uk).

4.8 In each case where affordable housing is to form part of a development the Council will require that the type of housing to be provided within these definitions be in accordance with identified local need. The test will be whether the affordable housing will meet the identified local need in terms of type and rent or price, as set out in the HNS 2004 and HNS Update 2005, or any subsequent Housing Needs Assessments.

5.0 AFFORDABLE HOUSING NEED

The local housing market

5.1 The local housing market is a key factor in determining the level at which market housing becomes unaffordable to those on lower incomes. PPS3 states that affordability should be determined with regard to local incomes and their relationship to house prices or rents. The Housing Needs Survey (HNS 2004) has taken into account data on actual incomes and the costs of housing in the District in order to assess the need for affordable housing. The income data and costs of housing have been updated for the HNS Update 2005.

5.2 The HNS Update 2005 indicated that a household income of at least £34,800 would be required to purchase the cheapest 1-bed flat in the District, rising to £61,700 for a 2-bed terrace property in a more expensive area. Access to private rent requires a household income of at least £20,600 for the cheapest 1-bed flat, rising to £33,600 for a 2-bed terrace in a more expensive area.

5.3 The HNS Update 2005 identified that the average price for all dwellings in the District was around £265,700. Flats / maisonettes had an average price of £168,857; terraced houses averaged £212,532; and semi-detached houses averaged £259,008. The price of flats and terraced houses, which are the usual entry level properties, have risen by 18% and 5.5% respectively over the year since the last Housing Needs Survey in 2004.

5.4 Whilst the Right-to-Buy initiative benefits the new owners and helps create more sustainable communities by ensuring a mix of tenures, the failure to ensure that the units that are sold are replaced at a equal rate has exacerbated the problem of affordable housing.

The amount of affordable housing required

5.5 The HNS Update 2005 identifies a total affordable housing need for 787 units per year. The net annual outstanding need is for 484 units, after allowing for existing stock re-let supply. This figure can be compared to the total annual housing requirement for East Herts of 555 dwellings contained in the Adopted Hertfordshire Structure Plan 1998. These figures emphasize the shortage of affordable dwellings that exists and is likely to continue, justifying the requirement for a significant proportion of new dwellings built to be affordable.

Who is in need?

5.6 In addition to those households on the Housing Register for affordable housing, the HNS identifies a need to provide for ‘concealed’ households, such as young adults who wish to leave home but are unable to access the housing market. The HNS 2004 found that 6% of households in the District contained a ‘concealed’ household. The HNS Update 2005 showed that within this group 91% did not have an adequate income to be able to buy and 64% were unable to afford to rent privately (based on the smallest 1-bed flat).

5.7 There is also an increasing number of households who are in between the social and private housing market and unable to access either. This includes people termed as 'key workers' and this highlights the need for intermediate housing.

5.8 Key workers are defined in the East Herts Housing Strategy 2003 - 2006 as 'first priority' (key public sector workers) and second priority (private sector workers on incomes comparable with those in the first priority). The HNS 2004 showed that owner occupation is the preferred tenure of concealed key workers within the District, although 95% would be unable to purchase a property. Further information on key workers can be found in East Herts Housing Strategy 2003 – 2006.

5.9 There are various groups of people who require specialist types of housing and cannot always afford to meet their needs in the private sector. For example, homes designed or adapted for disabled people. The HNS 2004 identified 15% of households in the District as containing somebody with a disability or special need for support. The Local Plan Second Review contains Policy HSG6: Lifetime Homes, which requires a proportion of new homes to be built to Lifetime Homes standards. This is to ensure that new dwellings have the ability to be easily adapted. Further guidance on the Lifetime Homes standard is set out in Section 10.0 of this SPD.

5.10 The over 65 age group is forecast to increase by 7,772 individuals (45%) over the period 2001 – 2021 and the over 80 age group is set to increase by 1,741 individuals (41%). The latter group are likely to have care and support needs, which will need to be met by new and existing housing provision. The HNS 2004 identified a likely requirement for sheltered accommodation to 2007 as 1,096 affordable units and 1,627 private sector units. These figures may be met to some extent by existing stock but this requirement could also be helped by new development. As there are specific issues surrounding the development of sheltered accommodation, further guidance has been provided in Section 8.0 of this SPD.

What is needed?

5.11 The HNS 2004 identified that the principal need of concealed households (61%) is for flats, with 14% requiring terraced property and 17% semi-detached. The figures for concealed households also showed a requirement for one and two bed dwellings at 55% and 40% respectively. However, there is an ongoing need for 3 bedroom units, which tend to free up the smaller units. This requirement for smaller dwellings should be reflected in the balance of dwellings provided by new development.

5.12 Further detail on type of need and how this should be reflected in new development can be found in the Council's 'New Affordable Homes Commissioning Brief'.

6.0 SECURING AFFORDABLE HOUSING

6.1 PPS3 sets out what local planning authorities should incorporate in local development documents in relation to the issue of affordable housing. This includes:

- Setting an overall target for the amount of affordable housing to be provided
- Setting separate targets for social-rented and intermediate affordable housing
- Specifying the size and type of affordable housing needed
- Setting out the range of circumstances in which affordable housing will be required
- Setting out the approach to seeking developer contributions

6.2 The following sets out the Council's approach to securing affordable housing as part of new development and provides guidance on the policies in the Local Plan Second Review (2007).

Site size thresholds

6.3 The site size on which affordable housing will be sought is set out in Policy HSG3 (part II). The threshold for the six main settlements is in line with the national indicative minimum of 15 dwellings set out in PPS3. PPS3 also allows a lower threshold to be set in rural areas, which is the approach East Herts has taken. Policy HSG3 is expanded below:

Affordable housing provision will be expected on sites proposing 15 or more dwellings, or over 0.5 hectares in the six main settlements of:

- *Bishop's Stortford*
- *Hertford*
- *Ware*
- *Sawbridgeworth*
- *Buntingford*
- *Stanstead Abbotts & St Margarets*

Affordable housing provision will be expected on sites proposing 3 or more dwellings, or over 0.09 hectares in the villages of:

Category 1 Villages:
- *Braughing*
- *Hertford Heath*
- *High Cross*
- *Hunsdon*
- *Much Hadham*
- *Puckeridge*
- *Tewin*
- *Walkern*
- *Watton-at-Stone*

Category 2 Villages:
- *Aston (excl. Aston End)*
- *Bayford*
- *Benington*
- *Brickendon*
- *Dane End*
- *Datchworth*
- *Furneux Pelham*
- *Great Amwell*
- *Hadham Ford*
- *High Wych*
- *Little Hadham*
- *Standon*
- *Stapleford*
- *Thundridge*
- *Wadesmill*
- *Widford*

6.4 The phasing of a development, or the division of a site into separate parts, in order to create sites that are below the threshold, will not exclude the developer/s from providing affordable housing.

Where a site can be clearly identified, irrespective of ownership, the entire site will be used to determine whether the site meets the site size criteria.

6.5 Where a particular development is facilitated by the demolition of an existing dwelling or dwellings, or a building that was previously in residential use, in considering whether a development meets the threshold for providing affordable housing, the gross number of proposed dwellings, not the net increase, will be considered. For example, a proposed development of 15 new dwellings (in one of the six main settlements), which required the demolition, or loss by conversion, of 2 dwellings on the proposal sites, would require affordable housing provision because the gross number of dwellings meets the 15 dwelling threshold.

6.6 As a starting point for negotiations, on sites proposing a mix of uses, the site size threshold will be calculated on the capacity of the whole site to accommodate residential development without an element of other uses. For example, a mixed use site of 0.5 ha in Bishop's Stortford would have the capacity to accommodate at least 15 dwellings and therefore would be required to provide affordable housing. The proportion required will be based on the actual number of dwellings proposed as part of the mixed-use development.

Proportion of affordable housing

6.7 PPS3 states that local planning authorities should indicate the proportion of affordable housing to be sought and should set a plan-wide target for the amount of affordable housing to be sought. This target should be achievable and consistent with the target in the Regional Spatial Strategy.

6.8 The current regional figure is set out in Regional Planning Guidance 9 (2001), which sets a regional indicator for the number of affordable homes in the 'Rest of the South East' (ROSE) and this amounts to 18,000 – 19,000 dwellings per annum over the period 2001 – 2006. As a proportion of the average per annum rate of house building (39,000 net additional dwellings) the percentage of affordable dwellings sought is between 46 – 49% (across the Region).

6.9 The emerging Regional Spatial Strategy for the East of England, RSS14: The East of England Plan will replace RPG9 when it is adopted (anticipated mid-2007). The Government's Proposed Changes to the RSS, published in December 2006 for consultation recommend that Policy H3 set a new regional expectation for affordable housing. The suggested wording of the Policy is set out below but may be subject to change prior to final adoption of the RSS:

'At a regional level, delivery will be monitored against the expectation that some 35% of housing coming forward as a result of planning permissions granted after the

adoption of the RSS are affordable'.

6.10 Policy 10 of the Adopted Structure Plan (1998) relates to affordable housing and it specifies *'that the type and level of need for affordable housing will be identified from Local Authority housing needs surveys and housing strategies, and targets will be indicated in local plans'*. The Structure Plan considers that a figure between 25% and 40% affordable housing is considered appropriate as a target (para.196).

6.11 East Herts Council has a yearly target of 200 affordable dwellings (on average over a four year period) which is set out in the Housing Strategy. Part III of Policy HSG3 sets the target for affordable housing in East Herts: *'On suitable sites (in accordance with Policy HSG4) the inclusion of up to 40% affordable homes will be sought as part of the proposed development of the site'*

6.12 This target is based on the high level of need for affordable housing, as evidenced in the Housing Needs Survey 2005 Update and by other indicators. Following the Local Plan Second Review Public Inquiry the Inspector accepted that (with regards to the Housing Needs Survey) *'its general tenor and all other indicators point to a level of need that justify looking towards the 40% proportion as a starting point'.* The Inspector also recognised that the 40% proportion was derived from a more holistic look at what is achievable and deliverable rather than purely the level of need (which almost exceeds the total number of homes required annually).

6.13 The Council therefore considers that 40% affordable housing is an achievable target in most situations and will therefore be seeking to negotiate this level of affordable housing provision on suitable sites.

Site suitability

6.14 Policy HSG4 (part I) sets out the criteria against which the suitability of a site to provide affordable housing will be assessed. These criteria are:

- *The proximity of local services and facilities, and access to public transport;*
- *The economics of provision; and*
- *The need to achieve a successful housing development and sustainable community.*

6.15 In order to aid the Council in assessing the site suitability, developers should liaise with the Council at an early stage in the application process, and should make available any relevant information relating to the above factors to ensure an open discussion.

6.16 In order to create sustainable communities, housing should be "developed in suitable locations which offer a range of community facilities and with good access to jobs, key services, […] infrastructure" and sustainable transport modes including walking, cycling and passenger transport (PPS3, para.3). This is particularly important when considering the location of affordable housing.

Different types of housing may also have different locational requirements which need to be taken into account. For example, residents of sheltered accommodation should be able to access services such as GPs and local shops whereas residents of family housing will need to access primary schools as well as other services.

6.17 It is accepted that there will always be exceptional circumstances that influence the provision of affordable housing and the Council will take these circumstances into consideration. Developers will have to provide satisfactory evidence to enable the Councilto determine the validity of the exceptional circumstances and their impact on the development. In order to determine whether the economics of provision are such that a site is not suitable for the provision of affordable housing, the Council will require detailed information from the developer on the viability of the scheme. A developer should take affordable housing provision and other known requirements and constraints into account when negotiating the purchase of land. Standard development costs that will not be considered as exceptional include:

- Demolition and clearance
- Landscaping
- Good quality design measures
- Surveys
- Ground conditions
- Noise and any other environmental attenuation
- Flood mitigation measures
- Appropriate infrastructure provision
- Other contributions required to make the development acceptable

6.18 Developers will need to demonstrate any abnormal costs at the earliest stage in order that their impact on viability may be assessed. If exceptional circumstances are claimed, the developer must provide a full financial appraisal of the scheme in a form agreed by the District Council and allow the appraisal to be verified, if required by the Council, at the developer's expense, by an independent agent agreed by both the Council and developer and submitted as part of a planning application.

6.19 The need to achieve a successful housing development and a sustainable community may mean that a site is not suitable for affordable housing provision. In most instances the provision of high quality housing will contribute to the creation of sustainable mixed communities and will result in a successful housing development. If a developer considers that the provision of affordable housing would result in an unsuccessful housing development, then evidence should be presented to the Council at an early stage, preferably prior to an application being made, explaining the reasons why this may be the case. This will enable discussions to take place to see if the obstacles to a successful housing development can be removed.

6.20 To achieve mixed, inclusive and sustainable communities, affordable housing should:

- On all sites be distributed across the site rather than provided in one single parcel;
- On sites incorporating 30 or more residential units be provided in groups of no more that 15% of the total number of units being provided or 25 affordable units, whichever is the lesser.

Plans submitted to the Council for planning consideration should clearly show the position of all affordable units within the development, except in those outline applications where only illustrative plans are submitted. In these cases such details may be required by condition.

Size, type and tenure

6.21 The size, type and tenure of affordable housing will be determined by the following factors, set out in Policy HSG4 (part II) and influenced by the minimum requirements of the Affordable Housing Provider:

- *The housing needs of the local area (as established through the results of the latest district-wide Housing Needs Survey);*
- *The availability of public subsidy; and*
- *The policies and objectives of the Council's Housing Strategy.*

6.22 The size and type of affordable housing required, as identified by the Housing Needs Survey 2004, is set out in Section 5.0. The greatest need in the District is for social rented units. This is because of the backlog of unmet affordable housing need and the loss of social rented units through the right-to-buy initiative.

623 The 'New Affordable Homes Commissioning Brief' sets out the Council's requirements for the affordable housing element of new development including tenure split, size proportion thresholds, space standards, Design & Quality Standards, and Social Housing Grant. Any deviation from the Council's requirements as set out in this policy document will be determined by the Council on a case-by-case basis.

6.24 Developer's should not assume that a public subsidy will be available when assessing viability and purchasing a site. Further information on the availability of Housing Corporation grant funding is provided in Annex E of 'Delivering Affordable Housing (DCLG 2006). This also contains information about alternative sources of subsidy. Information can also be obtained from East Herts Housing Development Manager. If the anticipated public subsidy is not forthcoming, the Council may consider an alternative tenure split.

Management of affordable housing

6.25 Part III of Policy HSG4 outlines how the Council will ensure that the housing remains affordable in the long term and sets out to: '*secure the benefits of affordable housing for first and subsequent occupiers of affordable properties, any such development is expected to be subject to a condition or an appropriate legal agreement providing for the retention of dwellings under such arrangements through the District*

Council, Registered Social Landlord or similar body agreed with the District Council'. This is subject to legislative exceptions such as the right to acquire under the Housing Act 1996 and HomeBuy products.

6.26 The reason for this section of the Policy is to ensure that any affordable housing units gained through private development, remain as affordable units in the future. The most likely bodies to take on the management of affordable housing are Registered Social Landlords (see Appendix B for East Herts partner RSLs).

6.27 Section 106 agreements will be used to ensure that the affordable housing is provided and occupied as intended. A Section 106 agreement is, in most cases, preferable to a planning condition as a more effective means of securing affordable housing, as the matters involved are usually too complex for a condition.

6.28 The Government's current position in respect of planning obligations is set out in Circular 05/2005.

6.29 As a starting point the Council will seek 40% affordable housing provision on suitable sites along with other contributions as set out in the Council's revised Planning Obligations SPD. However, the Council does acknowledge that circumstances will vary from site to site and as such, where evidence is provided concerning the viability of a particular scheme, the Council will negotiate the most appropriate balance of contributions in order to ensure that the development contributes to the creation of a sustainable community.

6.30 Where S106 templates have been prepared by the Council, developers will be encouraged to use them. For further information on S106 templates refer to Appendix B for contact details.

6.31 Section 106 agreements will support delivery of the objectives of Policies HSG3 and HSG4 and will, seek to ensure the affordable housing, when delivered will be affordable; meets the identified type of local need; and comprises a viable (for the RSL) package for, and secure a sale to, an RSL (or, where relevant, such other appropriate provider in the case of special needs housing). Agreements may also refer to appropriate scheme standards.

6.32 Whilst agreements will be sufficiently flexible to respond to most circumstances, the objective of providing affordable housing which meets identified local need in accordance with the Council's Committee resolution will be paramount. Any provisions designed to cover eventualities concerning site viability, which cannot be predicted at the time of completion of the agreement, will first be subject to a stringent regime of provisions protecting the identified need. Developers will be required to exercise reasonable endeavours to provide the identified need if the matter is not to be referred back to the relevant Committee for an amended resolution.

6.33 Unilateral Section 106 documents submitted by developers will be expected to meet these requirements.

Off-site provision

6.34 In line with PPS3 there is a presumption that affordable housing should be provided on site and mixed with the private housing in order to create an integrated and sustainable community. Occasionally exceptional circumstances may arise where off-site provision or a financial contribution may be a suitable alternative. Whether exceptional circumstances exist will be determined by the Council on a case-by-case basis. PPS3 states that any off-site provision or financial contribution should be 'robustly justified'. The Council will expect developers to provide such justification at an early stage. The agreed approach has to contribute to the creation of mixed communities in the local authority area, in line with PPS3.

6.35 Off-site provision includes: provision of affordable dwellings on an alternative site; a financial contribution (commuted sum); or the transfer of land.

6.36 Off-site provision on an alternative site will only be considered where:

- An alternative site or sites has been identified which would enable affordable housing appropriate to the identified needs to be met;
- The alternative site(s) can deliver the off-site provision in the appropriate timescale and is located within East Herts District;
- The off-site affordable housing provision is deliverable prior to a proportion of the on-site market development being completed (the proportion to be determined by the Council on a site by site basis).

6.37 The number of affordable units required will reflect the benefit the applicant gains from the fact that the principal development will be unencumbered by the requirement to provide up to 40% affordable housing. Instead the developer could provide 100% for the open market (and not 60%). The developer will effectively be building two schemes, which would in total create more dwellings than originally envisaged on the principal development (also refer to Paragraph 6.4).

6.38 In these circumstances, a proportion of the principal unencumbered development should be provided for affordable housing on an alternative site, which will effectively represent up to 40% of the total number of dwellings on both sites. The formula and example set out in Appendix E show how this is calculated.

6.39 However, in the case of a financial contribution, due to the shortage of suitable sites in the District it is unlikely that land would be found to provide the alternative housing. In the eventuality that a financial contribution is deemed appropriate, the amount sought will be determined by the Council on a site-by-site basis. However, as a guideline the approach that will be taken for calculating the level of payment will be similar to that taken for the 'off-site direct provision' approach. Off-site provision does not apply to sites which are inherently unsuitable for the provision of affordable housing (in line with Policy HSG4).

7.0 OTHER DWELLING TYPES

Sheltered Housing

7.1 Sheltered housing schemes requires special consideration when considering the provision of affordable housing, as different factors may influence the suitability of sites to provide affordable housing. Sheltered housing can be defined as:

'Housing which is purpose built or converted exclusively for sale to elderly people with a package of estate management services and which consists of grouped, self contained accommodation usually with communal facilities and normally with a warden.' [1]

7.2 This definition covers housing for the active newly retired through to very sheltered and assisted living schemes, which have a higher level of service provision and more facilities for older elderly people.

7.3 In order to determine whether a site is suitable for the provision of affordable housing the criteria in Policy HSG4 (part I) have to be considered. These criteria are discussed below in relation to sheltered housing schemes.

7.4 The location is of particular importance, both for market and affordable sheltered housing schemes, and should ensure accessibility to facilities and services, especially for extra care / assisted living schemes where residents may have limited mobility. For advice on the accessibility of a site, developers should contact the Planning Policy Team.

7.5 The economics of provision of a sheltered housing scheme will differ from general market housing. In order to assist the Council, developers should include a 'Position Statement' at the planning application stage, setting out the details of the sheltered housing proposed, the level of care to be provided and information on the proposed management regime. Developers should also provide information to the Council on any additional costs associated with the development that are not required when providing open market housing and the impact of these costs on the economic viability of the scheme.

7.6 Policy HSG4 requires the creation of a successful development and a sustainable community. The management of sheltered housing schemes needs to be feasible and the Council is aware that where market sheltered housing schemes provide communal facilities and services to residents with a service charge, it may not be feasible, in management terms, to provide affordable units within the same building. On larger sites, this issue could be resolved with the provision of a separate building or wing in order to meet the affordable housing requirement. This separate building or wing could provide affordable sheltered accommodation or general needs affordable housing. On smaller or more restricted sites where the provision of separate accommodation is not possible,

[1] 'Planning for Retirement Housing' - Planning Officers Society and the Retirement Housing Group (2003)

but the site is considered suitable, the Council will consider off-site provision or a commuted sum in lieu of on-site provision.

Supported Housing

7.7 In many circumstances the specialist housing needs of people with physical or learning disabilities can be met through adapting existing homes or by building new homes to Lifetime Homes Standards (see Chapter 10). There will, however, be instances when supported accommodation is required. Many of the planning issues associated with the provision of supported housing are similar to those issues relating to sheltered housing schemes. Thus, when considering proposals for supported housing, consideration should be given to the issues set out in Paragraphs 7.3 to 7.6 above.

Other dwellings

7.8 The Council recognises the potential of other dwellings, such as static caravans, houseboats and narrowboats in providing alternative low cost accommodation. These are special residential uses and careful consideration should be given to their suitability. Any application would be considered on its own merits as though the proposal was for a normal residential building and as such, the usual Policies relating to residential development as set out in the East Herts Local Plan Second Review would apply.

8.0 RURAL AFFORDABLE HOUSING

Provision in Category 1 and 2 Villages

8.1 Chapter 17: Other Settlements – The Villages of the Local Plan Second Review sets out the village development strategy. This strategy divides the villages into three categories. Category 1 Villages are the most sustainable villages where limited small-scale (typically up to 15 dwellings) and infill (up to 5 small dwellings) development for housing may be permitted. Category 2 Villages are only suitable for infill development to meet the needs of the village or parish. Category 1 and 2 Villages are listed in section 7 of this SPD. All other settlements are classified as Category 3 Villages where only rural exception housing will be appropriate.

8.2 Policies OSV1 and OSV2 set out the criteria for proposals in Category 1 and 2 Villages respectively. In terms of affordable housing, any housing development at or above the site size threshold (3 dwellings or 0.09ha) will be required to make provision for up to 40% housing, in accordance with Policies HSG3 and HSG4. As there are small numbers involved the Council will use the gearing ratio set out in Table 1 below which states how many affordable dwellings will be sought for each market dwelling provided. This is because the figures set out in Table 1 have been rounded to the nearest dwelling. For example, 40% of 5 dwellings equals 1.6, which has been rounded up to 2 dwellings whereas 40% of 6 dwellings equals 2.4, which has been rounded down to 2 dwellings.

Table 1: Market / Affordable Housing Gearing Ratio

Total Number of Dwellings Proposed	Market Housing Provision	Affordable Housing Provision
1	1	0
2	2	0
3	2	1
4	2	2
5	3	2
6	4	2
7	4	3
8	5	3
9	5	4
10	6	4
11	7	4
12	7	5
13	8	5
14	8	6
15	9	6
Schemes larger than 15 dwellings will use a similar 60%:40% ratio		

8.3 Policy OSV2 requires that proposals for housing (both market and affordable) meet a local need which has been identified either through the latest District Housing Needs Survey or a subsequent Parish Survey. The Housing Needs Survey 2004, Appendix 1, contains a breakdown of need, by ward, and this will provide an initial assessment of the need for both market and affordable dwellings within each ward. If a further Parish Survey is required, the Housing Development Manager at East Herts Council should be contacted.

8.4 As Appendix 1 of the Housing Needs Survey is broken down into wards and not villages, Table 2 lists the Category 2 villages by ward.

Table 2: Category 2 Villages by Ward

Ward	Category 2 Villages
Great Amwell	*Great Amwell*
Hertford Heath	*Brickendon*
Hunsdon	*Widford*
Thundridge and Standon	*Standon, Thundridge Wadesmill*
Much Hadham	*High Wych*
Walkern	*Benington*
Hertford Rural North	*Stapleford*
Hertford Rural South	*Bayford*
Little Hadham	*Little Hadham, Furneux Pelham, Hadham Ford*
Mundens and Cottered	*Dane End*
Datchworth and Aston	*Datchworth, Aston (excl. Aston End)*

Rural Exception Sites

8.5 In order to meet the need for affordable housing in the rural area, including Category 3 Villages which are not included under Policy HSG3, the Council may permit schemes for 100% affordable housing, on sites which would not be acceptable for market housing development. As this is an exception to normal policy, these sites are known as 'exception sites'. As a guide these schemes should not usually exceed ten houses.

8.6 Proposals for rural exceptions affordable housing have to meet the following criteria, as set out in Policy HSG5:

- *A particular local need can be identified which cannot be accommodated in any other way, as evidenced by the latest district-wide Housing Needs Survey (and supplemented by an individual parish-wide survey where appropriate);*
- *A management scheme which ensures that the accommodation is retained to meet local needs for first and subsequent occupiers;*
- *Proposals are of a scale compatible with the size, form and structure of the host village or settlement;*
- *Sites should be within or adjoining the settlement and easily integrated into the settlement.*

8.7 National guidance and the Adopted Structure Plan support this policy tool, which provides a means of enabling small scale affordable housing, to meet the local needs of those in rural settlements, who may otherwise be forced to move away. Paragraph 30 of PPS3 states that *'rural exception sites should only be used for affordable housing in perpetuity'* and should *'seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection'.*

8.8 The Parish Council and local residents have an important role to play in bringing forward exception sites. Local housing needs surveys will identify the

level and type of local need and the Council will support the undertaking of such surveys. Surveys can either be carried out separately or as part of a Parish Plan. The Parish Plan concept was originally developed by the Countryside Agency (now part of Natural England) to enable local communities to shape their future and is supported by East Herts Council. One aspect of a Parish Plan can be to identify local needs for affordable housing and the Community Planning team at East Herts Council provides support for Parish Plans. However, in order to inform Local Plan Policy and this SPD, a Parish wide housing needs survey should be undertaken separately by the Council's Housing Service.

8.9 Once the need has been identified, finding a suitable site within a village is the next task. The Parish Council is in an ideal position to identify possible parcels of land and liaise with the landowner. In order to assist local communities or others who may wish to bring forward an exception site, Appendix C provides a list of questions to consider and sets out the initial procedure that the Council will follow.

9.0 LIFETIME HOMES & SUSTAINABILITY

9.1 The 'Lifetime Homes' standards seek to make homes more flexible, convenient, safe, adaptable and accessible than most new homes. Policy HSG6 of the Local Plan Second Review requires that 15% of all new homes be constructed to the Lifetime Homes standards (see Appendix D). The Council strongly recommends that all new homes meet the Lifetime Homes standards as this will ensure that the changing needs of residents can be met within their home, that homes will be accessible to visitors with limited mobility and that they are capable of adaptation for residents who are wheelchair users.

9.2 The Government has recently published a 'Code for Sustainable Homes'. This Code supports the use of the Lifetime Homes standards. The Code is a voluntary Code and full technical guidance on how to comply with the Code is expected in April 2007. Category 7 of the Code relates to 'health and well-being' and points are awarded if new dwellings meet the measurement criteria. One of the issues relates to Lifetime Homes and 4 points will be awarded where homes comply with all the standards of Lifetime Homes. These points contribute to the overall sustainability rating that a home can achieve. The Code should be used by developers to ensure that new homes, and in particular affordable homes, are built to high sustainability standards that will help to reduce the running costs of homes for occupiers.

9.3 All affordable homes with an element of public subsidy should be built to the Housing Corporation's Design and Quality Standards which should be met in order to obtain grant monies. Further information is available at www.housingcorp.co.uk.

10.0 MONITORING

10.1 The Affordable Housing SPD, and the provision of affordable housing, will be monitored through the Council's Annual Monitoring Report. It is important for the Council to monitor the implementation of the new policies, and particularly, the impact of the lower thresholds on the supply of land for housing.

Appendix A – Local Plan Second Review 2007 Policies HSG3, HSG4, HSG5 and HSG6

Affordable Housing

HSG3: Affordable Housing

(I) Affordable housing is defined as housing provided, with subsidy, both for rent and low cost market housing, for people who are unable to resolve their housing requirements in the local private sector housing market because of the relationship between local housing costs and incomes.

(II) Affordable housing provision will be expected on sites:

(a) Proposing 15 or more dwellings, or over 0.5 hectares, in the six main settlements and

(b) Proposing 3 or more dwellings, or over 0.09 hectares, in the Category 1 and 2 villages.

(Where development of a site is phased or divided into separate parts, it will be considered as a whole for the purposes of affordable housing).

(III) On suitable sites (in accordance with Policy HSG4) the inclusion of up to 40% affordable homes will be sought as part of the proposed development of the site.

HSG4: Affordable Housing Criteria

(I) The suitability of a site to provide affordable housing at the level given in Policy HSG3 will be assessed against the following criteria:

(a) The proximity of local services and facilities and access to public transport

(b) The economics of provision; and

(c) The need to achieve a successful housing development and sustainable community.

(II) The size, type and tenure of affordable housing will be determined by:

(a) The housing needs of the local area (as established through the results of the latest district-wide Housing Needs Survey).

(b) The availability of public subsidy; and

(c) The policies and objectives of the Council's Housing Strategy

(III) To secure the benefits of affordable housing for the first and subsequent occupiers of affordable properties, any such development is expected to be subject to a

condition or an appropriate legal agreement providing for the retention of dwellings under such arrangements through the District Council, Registered Social Landlord or similar body agreed with the District Council.

Rural Area Affordable Housing Needs

HSG5: Rural Exceptions Affordable Housing

Proposals for affordable housing schemes, on sites which would not be acceptable for general housing development, may be permitted, subject to all the following criteria being met:

(a) A particular local need can be identified which cannot be accommodated in any other way, as evidenced by the latest district-wide Housing Needs Survey (and supplemented by an individual parish-wide survey where appropriate);

(b) A management scheme which ensures that the accommodation is retained to meet local needs for first and subsequent occupiers;

(c) Proposals are of a scale compatible with the size, form and structure of the host village or settlement.

(d) Sites should be within or adjoining the settlement and easily integrated into the settlement.

Lifetime Homes

HSG6: Lifetime Homes

The Council will expect that in new residential developments 15% of all dwellings are constructed to 'Lifetime Homes' standards. This is so that a proportion of all homes available in the District will be accessible (both externally and internally) to visitors with limited mobility (including visitors in wheelchairs) and which are capable of adaptation, without undue difficulty, for occupation by residents who are wheelchair users. In each case the site location and topography will be taken into consideration.

Appendix B - Contact information

East Herts Council
Switchboard – 01279 6552621

East Herts Council affordable housing contacts

Planning Policy Team – for queries relating to affordable housing planning policy
planningpolicy@eastherts.gov.uk

Housing Development Manager – for queries relating to the implementation of affordable housing, grant funding, tenure split, type and size of dwellings
sally.smallwood@eastherts.gov.uk

Development Control – for queries relating to specific sites and development proposals
planning@eastherts.gov.uk

Community Planning – for queries relating to Parish Plans
steve.wilson@eastherts.gov.uk

Legal – for queries relating to S106 agreements
caroline.robins@eastherts.gov.uk

External organisations

Community Development Agency (CDA) for Hertfordshire
Tel: 01707 695500

Housing Corporation
Tel: 0845 230 7000

Registered Social Landlords (RSLs)

Aldwyck Housing Association – Tel: 01382 869100

Anglia Housing Group – see Stort Valley Housing Association details

Granta Housing Society – Tel: 01223 702265

Guinness Trust – Tel: 01707 391399

Network Housing Group – Tel: 0208 900 0185

The Papworth Trust - Tel: 01480 830341

Paradigm Housing Group Ltd - Tel: 01494 588220

Riversmead Housing Association – see Network Housing Association details

Stort Valley Housing Association - Tel: 01279 714714

St Pancras & Humanist Housing Association – Tel: 0207 209 9222

Appendix C - Rural Exception Site Guidance

Questions to consider

1. Local housing need

   - Who is in need of affordable housing?
   - What type of home do they need?
   - Do they have a local connection?
   - Would affordable housing contribute to a mixed and balanced community?

2. The wider location

   - Where is the village in relation to the main towns in and adjoining the District – are these towns accessible by means other than the private car?
   - How does the village relate to neighbouring villages – could the affordable housing be provided in a village with more facilities and still meet the local need?

3. The village

   - What facilities are available within the village or in nearby villages e.g. Post Office, shop, public house, primary school etc?
   - Are there any local employment opportunities?
   - Is there a regular bus or train service to and from the village?
   - What planning constraints does the settlement have e.g. Green Belt, protected landscape, Conservation Area, Listed Buildings, nature conservation sites etc?

4. The site

   - Where is the site in relation to the rest of the village e.g. is it within or on the edge of the village?
   - How does it fit with the surrounding landscape e.g. is the site screened, would it obscure important views, would it blend in with the character of the settlement etc?
   - Would it have a negative impact on the amenity of the nearby residents?
   - Is there a suitable means of access from the highway?

Procedure for Identifying Rural Exception Sites

1. Consult the local community and consider the above checklist in relation to your village and potential site/s.

2. Identify potential site/s within the village and send a map with the site or sites outlined in red, to East Herts Council, Development Plans Team.

3. The Development Plans Team will undertake a screening exercise to determine initial suitability of village and site/s. If suitable in principle an internal consultation will take place with Housing and Development Control to establish housing need for the settlement and the suitability of the site/s. Once need has been identified and a suitable site found, pre-application consultation with the relevant statutory organisations such as the Environment Agency and Hertfordshire County Council as the Highway Authority, should be undertaken.

4. A reply will be sent with informal opinion on the principle of exception housing on the site/s.

5. If a favourable response is received then further discussions can be held with Development Control and Housing and an application for planning permission submitted.

Other points to consider:

- Involving a Registered Social Landlord at the beginning of the process to help secure funding and develop a suitable scheme.

Appendix D - Lifetime Home Standards

Lifetime Home Standards	Specifications and dimensions which meet Lifetime Homes standards
1. Where there is car parking adjacent to the home, it should be capable of enlargement to attain 3300mm width	The general provision for a car parking space is 2400mm width. If an additional 900mm width is not provided at the outset, there must be provision (e. g. a grass verge) for enlarging the overall width to 3300mm at a later date
2. The distance from the car parking space to the home should be kept to a minimum and should be level or gently sloping	It is preferable to have a level approach. However, where the topography prevents this, a maximum gradient of 1: 12 is permissible on an individual slope of less than 5 metres or 1: 15 if it is between 5 and 10m, and 1: 20 where it is more than 10m. Paths should be a minimum of 900mm width
3. The approach to all entrances should be level or gently sloping	See standard 2 above for the definition of gently sloping
4. All entrances should: a) be illuminated relevant parts of 1.3.1.2 E b) have level access over the threshold and c) have a covered main entrance	The threshold upstand should not exceed 15mm
5. a) Communal stairs should provide easy access and b) where homes are reached by a lift, it should be fully wheelchair accessible	*Minimum dimensions for communal stairs* Uniform rise not more than 170mm Uniform going not less than 250mm Handrails extend 300mm beyond top and bottom step Handrail height 900mm from each nosing *Minimum dimensions for lifts* Clear landing entrances 1500x1500mm Min. internal dimensions 1100x1400mm Lift controls between 900 and 1200mm from the floor and 400mm from the lift's internal front wall
6. The width of the doorways and hallways should conform to the specifications in the next column	*Doorway clear opening width (mm)* / *Corridor/ passageway width (mm)* 750 or wider / 900 (when approach is head-on) 750 / 1200 (when approach is not head- on) 775 / 1050 (when approach is not head- on) 900 / 900 (when approach is not head- on) The clear opening width of the front door should be 800mm. There should be 300mm to the side of the leading edge of doors on the entrance level

7. There should be space for turning a wheelchair in dining areas and living rooms and adequate circulation space for wheelchair users elsewhere	A turning circle of 1500mm diameter or a 1700x1400mm ellipse is required
8. The living room should be at entrance level	
9. In houses of two or more storeys, there should be space on the entrance level that could be used as a convenient bed-space	
10. There should be: a) a wheelchair accessible entrance level WC, with b) drainage provision enabling a shower to be fitted in the future	The drainage provision for a future shower should be provided in all dwellings *Dwellings of three or more bedrooms* For dwellings with three or more bedrooms, or on one level, the WC must be fully accessible. A wheelchair user should be able to close the door from within the closet and achieve side transfer from a wheelchair to at least one side of the WC. There must be at least 1100mm clear space from the front of the WC bowl. The shower provision must be within the closet or adjacent to the closet (the WC could be an integral part of the bathroom in a flat or bungalow) *Dwellings of two or fewer bedrooms* In small two- bedroom dwellings where the design has failed to achieve this fully accessible WC, the Part M standard WC will meet this standard
11. Walls in bathrooms and toilets should be capable of taking adaptations such as handrails	Wall reinforcements should be located between 300 and 1500mm from the floor
12.The design should incorporate: a) provision for a future stair lift b) a suitably identified space for a through- the- floor lift from the ground to the first floor, for example to a bedroom next to a bathroom	There must be a minimum of 900mm clear distance between the stair wall (on which the lift would normally be located) and the edge of the opposite handrail/ balustrade. Unobstructed 'landings' are needed at top and bottom of stairs
13. The design should provide for a reasonable route for a potential hoist from a main bedroom to the bathroom	Most timber trusses today are capable of taking a hoist and tracking. Technological advances in hoist design mean that a straight run is no longer a requirement
14. The bathroom should be designed to incorporate ease of access to the bath, WC and wash basin	Although there is not a requirement for a turning circle in bathrooms, sufficient space should be provided so that a wheelchair user could use the bathroom
15. Living room window glazing should begin at 800mm or lower and windows should be easy to open/ operate	People should be able to see out of the window whilst seated. Wheelchair users should be able to operate at least one window in each room

16. Switches, sockets, ventilation and service controls should be at a height usable by all (i. e. between 450 and 1200mm from the floor)	This applies to all rooms including the kitchen and bathroom

Appendix E - Formula for calculated off-site affordable housing requirement

The formula to be applied for the provision of off-site affordable housing or in-lieu financial contributions is:

Affordable Housing Dwellings = 40/60 x M
(where M equals the open market housing)

Worked example:

A site of 70 dwellings would normally provide 28 affordable units (40% of 70). Based on this capacity the requirement off-site would be 40/60 x 70 = 47 units. Out of the total 117 units, 47 will be affordable. 47/117 = 40%.