

Affordable Housing SPD



Adopted Feb 2009

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Affordable Housing Supplementary Planning Document

Purpose of the Supplementary Planning Document

1 The provision of more affordable housing is identified as a key priority by the Borough Council as reflected in the Community Strategy, Housing Strategy and Local Development Framework Core Strategy.

2 The LDF Core Strategy sets out the Council's requirements for affordable housing in new residential developments in policy CS12. The purpose of this Supplementary Planning Document is to inform applicants in more detail of what the Council will expect to secure in terms of affordable housing provision in new residential development. As such it amplifies policy CS12.

3 The main objectives of the SPD are:

- To clarify the policy framework for affordable housing as set out in the LDF Core Strategy to enable developers, the public and other stakeholders to understand how such housing is to be provided in the borough
- To increase housing choice and encourage better social mix

Preparation of the SPD

4 The draft SPD will be subject to comprehensive consultation with key stakeholders before it can be adopted formally.

Sustainability Appraisal

5 A Sustainability Appraisal of the SPD has been produced and is available for inspection as part of the consultation process.

The Policy Approach

6 Planning Policy Statement 3: Housing (PPS3) sets out the Government's policy for securing the provision of affordable housing. Its key aim is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. To achieve this the government is seeking to:

- Achieve a wide choice of high quality homes, both affordable and market housing, to address the requirements of the community
- Widen opportunities for home ownership and ensure high quality housing for those who cannot afford market housing, in particular those who are vulnerable or in need:
- Improve affordability across the housing market, including by increasing the supply of housing; and
- Create sustainable, inclusive, mixed communities in urban and rural areas

PPS3 sets out the specific outcomes that the planning system should deliver. These are:

- High quality housing that is well designed and built to a high standard

- A mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural
- A sufficient quantity of housing taking into account need and demand and seeking to improve choice
- Housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure
- A flexible, responsive supply of land – managed in a way that makes efficient and effective use of land, including re-use of previously developed land, where appropriate

Strategic Policy Background

7 RPG9 (paragraph 8.9) makes it clear that:

The provision of affordable housing in the South East is an important component in the development of mixed and balanced communities, to help meet the housing needs of the whole population.

8 Policy 1: Scale of Growth of RPG9 goes on to specify that “up to 30%” of new homes should be affordable.

South East Plan

9 The Submission South East Plan Core Document published in March 2006 sets the regional context for the provision of affordable housing. It states at paragraphs 1.6.1 and 1.6.2 that:

There is substantial housing need in the South East. In 2004/05 there were 12,400 homeless households in priority need accepted by local authorities. While this figure is lower than in any of the previous six years, it is just one indication that the region needs to build more affordable homes.

To assess the need for affordable housing in the South East over the period covered by the Plan, the Regional Assembly commissioned the Cambridge Centre for Housing and Planning Research to carry out two research projects. The first concluded that 25% of housing provided needs to be social rented accommodation, and the second that an additional 10% of housing should be provided as shared-ownership, low-cost home ownership and sub-market rent.

The Plan goes on to state at paragraph 1.6.4 that:

Up-to-date and robust assessments of housing need and demand have a fundamental role in helping to ensure that everyone has the opportunity of a decent home.

Paragraphs 5.3 and 5.5 continue:

...there needs to be a significant increase in affordable housing provision across the region. The regional Growth Areas and development on other major greenfield sites will provide significant opportunities to deliver new affordable housing. However, development in these areas will not solve all the region's affordable housing shortages and therefore the general principle will be that affordable housing needs, particularly needs for social rented housing, should be met where they arise.

Local Development Documents will need to set targets for the provision of affordable housing, both for social rented and other forms of affordable housing, based on the results of assessments of housing need and demand.

Policy H4 of the South East Plan states that:

Local Development Documents will contain policies to deliver a substantial increase in the amount of affordable housing in the region, reflecting both this Plan and the Regional Housing Strategy. Local Development Documents will set targets for the provision of affordable housing, taking account of the results of housing need and market assessments and having regard to the overall regional target that 25% of all new housing should be social rented accommodation and 10% other forms of affordable housing. Where justified by housing need assessments, Local Development Documents should specify the tenure of housing being sought. There will be a presumption in favour of on-site affordable housing provision. In rural areas, Local Development Documents will promote small scale affordable housing sites within or well-related to settlements, possibly including land which would not otherwise be released for development.

The South East Plan in its section on the East Kent and Ashford Sub-region (paragraphs 2.11 and 2.12) makes particular reference to affordable housing:

Housing markets in East Kent and Ashford are less buoyant than in most other parts of the South East and given the need to seek developer contributions for education, access and other services required by new developments, 30% affordable housing is the maximum practical in the sub-region. Even so, this would mean 750 new affordable dwellings each year in the sub-region compared to recent average completion of about 250 per annum. At Ashford the planned scale of new housing is more than sufficient to meet the local need for affordable housing, and a higher proportion of key worker and shared equity housing as a step to ownership would be appropriate.... The delivery of affordable housing will depend on the scale of public funding, and in East Kent affordable housing programmes that do not depend entirely on the volume of market housing will be needed to meet the overall target.

Policy EKA2 states that:

An indicative target for affordable housing of 30% of all new dwellings applies to East Kent and Ashford. This will be subject to regular review in the light of housing market conditions and delivery of the policy. The provision of affordable housing in individual districts should be set in Local Development Documents, taking account of the results of local housing needs assessments, the funding for affordable housing and the circumstances of the major development sites. Where justified by local needs assessments, Local Development Documents may also specify the tenure of housing being sought.

The Kent and Medway Structure Plan

10 The Kent & Medway Structure Plan follows the same broad policy approach on affordable housing. Chapter 7 of the KMSP recognises the importance of affordable housing and refers to the position that on the basis of household growth alone some 30% of all new homes should be in the affordable sector but that this should be informed at the district level by local need assessments. PolicyHP7 sets out the requirements for LDDs in dealing with affordable housing.

The Housing Needs Assessment

11 The Borough Council's Housing Needs assessment carried out in 2005 judges that there will be an annual affordable housing shortfall of 655 units, 3930 units in total to 2011. The needs assessment acknowledges that:

The annual level of outstanding affordable need of 655 units, after allowing for current re-let supply, will be difficult to sustain, bearing in mind past new supply levels.

12 The needs assessment acknowledges that despite the evidence of the scale of need there is a need to build viable, sustainable communities and accordingly the report states that

Our significant experience of affordable subsidised housing in mixed developments leads us to recommend that 35% of new units negotiated should be the level applied from the total of all sites negotiated. Policy H4 of the Draft South East Plan also suggests an overall regional target of 35% to 40%. This proportion includes both affordable housing for rent and subsidised low cost market housing to meet the needs of low income households, key workers and those on average incomes unable to purchase. Targets may vary above and below this level on a site by site basis.

It also recommends that

The increases in house prices over the last four years have excluded many 'first time buyers' from the owner occupied market. We believe therefore that the proportion of affordable housing provided on new sites should encompass more subsidised low cost market housing than would have been the case four years ago when it was a more marginal element of affordable need.

Within this type of provision the report states that:

Within this (35%) target the major requirement is for rented housing and we recommend a balance of around 60% i.e. 21% for rent with around 40% of provision (14%), as low cost market or 'intermediate' housing provided it is delivered at a cost below the cheapest entry level costs in the general market and would be available on a similar basis to subsequent purchasers.

On the issues of site thresholds the report states that

The annual scale of affordable need is almost seven times the average annual new unit delivery over the last three years and justifies an exceptional case for a lower threshold.

It is anticipated that a new lower site threshold of 15 units or 0.5 hectares will be standard level in the new Planning Guidance and this should be adopted as soon as new Guidance is issued. A strong case exists to justify a lower threshold across the Borough and the Council should give consideration to adopting a lower threshold as soon as practicable.

Ashford LDF Core Strategy Policy

13 Policy CS12 of the LDF Core Strategy states that:

On qualifying sites in the growth area the Council will seek the provision of not less than 30% of all dwellings as subsidised affordable housing; elsewhere the target is 35%. The affordable provision shall be split between social rented (60%) and other forms of affordable provision (40%).

Affordable housing will be required on all sites where the scheme is for 15 units or more (including the net addition from the conversion of buildings) or has a site area in excess of 0.5 hectares.

If a site comes forward as two or more separate development schemes, of which one or more falls below the appropriate threshold, the Council will seek an appropriate level of affordable housing on each part to match in total the provision that would have been required on the site as a whole.

Affordable housing should be provided on site and only in very exceptional circumstances will contributions to make equivalent provision elsewhere be acceptable.

Affordable Housing Approach in the Rural Area

14 The affordability issue is even more acute in the villages and rural areas. Local needs housing schemes have helped to provide housing for local people at affordable levels. Local needs housing will continue to be provided in accordance with the saved Local Plan policy. Affordable housing is different because it is not critically related to a local residential qualification.

15 The proportion of affordable housing on qualifying sites in the rural area is set at a higher level of 35%. The Council recognises that the supply of affordable housing in the rural areas is still likely to be relatively small but this will make a contribution towards addressing affordability issues.

Sizes and types of affordable housing units

16 Policy CS13 of the Core Strategy seeks to ensure that the range of dwelling types and sizes responds to emerging needs and promotes the creation of sustainable communities. To achieve this the Council will require the range of dwelling types and sizes coming forward to be based on the Council's assessment of local housing need.

17 For affordable housing the Council must take a strategic borough-wide view of the provision of sizes and types of housing. As a guide developers should be aware that the Council will negotiate the provision of units that correspond to the needs identified by the Housing Needs Survey 2005 (or any subsequent such survey or Strategic Housing Market Assessment), although it should be noted that the survey figures are viewed as indicative of the affordable housing needs in any locality and the Council would seek to avoid a preponderance of a specific unit type or size whilst also taking account of occupants aspirations.

18 The Council will also take into account those households registered on the Borough Council's Housing Register for rented affordable units (see table in appendix A) and those households registered with the Homebuy Zone Agent (currently Moat) (or such other arrangements as may replace this from time to time) for intermediate tenure units.

19 To achieve the closest match between housing need and provision the Council will also take into account locality-specific need and opportunities to create additional vacancies in existing Council and Housing Association rented homes in the Borough, through the provision of new homes. Through transfers of existing Council and Housing Association tenants the provision of one new home can lead to further letting opportunities, as households currently occupying unsuitable homes are able to move on. Thus, as evidenced by the Housing Needs Survey 2005, although the greatest need is for one-bedroom units, the provision of larger homes can create a chain of re-letting opportunities,

20 As site constraints can sometimes mean that certain sizes/types of units cannot reasonably be provided on particular development sites, the Council will assess each site on its merits and the requirements for sizes and types of units. Developers should set out a schedule of the proposed size and type of affordable housing units in their applications based on the needs identified in the relevant survey of housing needs and preferably, after consultation with the Council's Housing officers.

Supported housing and wheelchair standard housing

21 Through the outcomes of the Housing Needs Survey 2005 and detailed work with local partners such as Kent County Council Adult Social Services and Ashford Primary Care Trust, the Council has identified that there is a need for the provision of supported housing in the Borough.

22 On suitable sites, the Council will seek the provision of a proportion of the affordable housing provision as supported housing.

This type of housing falls into two categories:

- Sheltered housing schemes designed specifically for older people. The Council seeks to ensure that all sheltered housing schemes for older people are designed and constructed to standards that will allow the provision in the scheme of those health and social care services that lead to a classification of the scheme as being extra-care sheltered housing. As such the Council has produced an approved 'Extra-Care Sheltered Housing Design Specification'. Any developer of a site where the Council has sought the provision of an extra-care sheltered housing scheme as part of the affordable housing provision must ensure that they design the scheme in accordance with that specification.
- Supported housing schemes for vulnerable people. Such schemes may be required where there is an identified need for the provision of self-contained accommodation for people with specific vulnerabilities. The Council has produced an approved 'Supported Housing Design Specification'; this specification will be subject to minor changes depending on the identified client group for whom the accommodation is to be provided. This is because different revenue funding mechanisms exist for providing the relevant support to people living within the scheme, depending on the client group and as such this sometimes means design must vary slightly. Any developer of a site where the Council has sought the provision of a supported housing scheme as part of the affordable housing provision must ensure that they design the scheme in accordance with the

approved specification and check with the Housing Research and Development Team as to any client group specific variations.

23 The Council regularly reviews the level of need for wheelchair standard housing at a local level and will seek a proportion on appropriate sites in line with identified need. The exact number of units to be provided to wheelchair standards will be set out in the affordable housing development brief for the site. The applicable wheelchair standard required is that adopted by the Housing Corporation and set out in 'Wheelchair Housing Design Guide', 2nd Ed, by Stephen Thorpe and Habinteg Housing Association (ISBN 1 86081 897 8).

Registered Social Landlord Development Partners

24 The Council is currently creating a Development protocol that will encourage a developer to work with the Council (depending on the number of affordable units to be delivered on the site, or any specialist supported housing provision on site) to provide affordable housing. The Council will select the developer/s based on a rigorous assessment which will include; local commitment, development expertise, capacity, housing management standards, community development and services to tenants. The developer/s will have to sign up to a partnership agreement with the Council, which establishes levels of service, including lettings arrangements.

25 The Housing Research and Development Team can, where required, assist in the process of establishing partnerships between private developers and RSLs most appropriate for each site.

Design and quality standards

26 The Council expect all housing provided in the Borough to be to high design and quality standards. To ensure the creation of sustainable mixed tenure communities the affordable housing provision must not be visually distinguishable from the market housing on site in terms of build quality, materials, detail, levels of amenity space and privacy.

27 In addition, the Council requires all affordable units to be developed to the latest applicable Housing Corporation standards, whether or not they are to be grant funded.

28 Standards change from time to time and the Council will apply the Housing Corporation standards in place at the time. Currently these requirements are set out in the Housing Corporation's 'Design and Quality Standards' (April 2007), which can be downloaded from the Housing Corporation's website in full and in brief are as follows:

- The achievement of minimal Housing Quality Indicator scores for the relevant sizes/types of units
- The achievement of the Code for Sustainable Homes level 3 as a minimum
- An assessment against the 20 Council for Architecture and the Built Environment (CABE) 'Building for Life' criteria that demonstrates the achievement of; 10 out of 20 positive responses for rural and street-fronted infill units and 12 out of 20 positive responses for all other developments.

29 The Council's Housing Strategy 2008-11 has set a target that by 2011 60% of affordable units will be constructed to the Joseph Rowntree Foundation (JRF) Lifetime Homes Standard, the standards can be downloaded from the JRF website <http://www.jrf.org.uk/housingandcare/lifetimehomes/table2.asp>. RSLs are encouraged by the Housing Corporation to develop all new homes to this standard and achievement of the JRF Lifetime Homes standard is one of the suite of achievements that can lead to Code for Sustainable Homes Level 3 attainment.

30 All newly built affordable homes will be subject to satisfaction surveys conducted by the managing agent or RSL no sooner than 6 months and no later than 12 months after the date of first occupation. These will be made available to the Council's Housing Research and Development Team no later than two months after completion and used to monitor and inform subsequent reviews of this policy and the design requirements of affordable homes in Ashford.

Integration of affordable housing

31 The integration of affordable housing within larger developments is a key issue in the Council's assessment of the quality of design and layout of schemes. The Government's approach in PPS1 (par.35) is clear in promoting the need for high quality and inclusive design that should create well-mixed and integrated developments that avoid segregation. The guide on 'Delivering Affordable Housing (Nov, 2006 – CLG) also challenges developers to produce high quality housing designs that help to integrate affordable and market units in a mixed community.



Picture 1 Clusters of equal or greater number of market housing units must separate clusters of affordable housing units. Crown Copyright, Licence Number 100024427

32 Therefore, the Council will expect the distribution of tenure types across developments to promote social inclusion and integration. Accordingly within the affordable housing clusters there is expected to be a mix of affordable housing tenure types ie rented and shared ownership.



Picture 2 Unacceptable concentration of affordable housing on a site. Crown Copyright, Licence Number 100024427

33 Affordable housing must be integrated with market housing and distributed across the development. The perceived marketability of private housing within a development will not be considered a suitable justification for clustering of affordable housing beyond the guidelines set out below.

34 The level of integration of affordable housing with market housing will be guided by the following:

35 On sites of less than 100 units there will be a presumption that the affordable housing will be in clusters of up to a maximum size of 12 units. For example on a scheme of 90 units, 30% affordable provision equals 27 units which could be split into clusters in a number of ways such as 12, 10 and 5 or 10, 11 and 6.

36 On sites of 100 or more units there will be a presumption that affordable housing will be in clusters of up to a maximum of 30 units. For example on a scheme of 160 units, 30% affordable provision equals 48 units which could be split into clusters in a number of ways such as 30 and 18, 20, 18 and 10 or 8 clusters of 6 units.

37 If affordable housing is provided on separate but adjoining land parcels it is important that the location of clusters within those land parcels does not generate, cumulatively, a much larger cluster. Accordingly, roads, cycleways and footpaths will not be considered to be sufficient "buffers" between clusters.

38 In determining the total amount of affordable housing and therefore the size of any clusters the Council will have regard to the total developable site area rather than that part of the overall site currently being developed.

39 In the case of specialist housing provision to cater for particular needs (eg. supported housing) the Council may permit exceptions to the principles set out in this SPD. Thus, for example, the Council may permit extra care sheltered housing to be in clusters of around 40 units and may permit specialist housing for those with learning disabilities or mental health problems to be in clusters of 8 units or less. Such cases will be judged on their individual merits.



Picture 3 The use of roadways paths and other access ways will not be considered as sufficient separation between clusters. Crown Copyright, Licence Number 100024427

40 In the case of developments with all or the majority of dwellings to be constructed in blocks of flats the policy of integration as set out above will apply in order to contribute to the creation of diverse and strong communities. The Council recognises the challenge that this may present to both developers and RSLs alike and accordingly the Council will consider each development individually against its overarching policy as previously expressed on the basis of the proposals put forward by the applicant, the views of the RSL charged with the management of the affordable dwellings and the current policies of the Housing Corporation, including funding.

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Alternatives to on-site affordable housing provision

41 The Council expects affordable housing to be delivered on site; but in exceptional circumstances an alternative to on-site provision may be acceptable. These are:-

- Where the proposed development involves the conversion of existing buildings that may result in high services charges, high maintenance costs and where the building configuration or ongoing housing management implications render on site provision impractical. Factors such as these can result in buildings that do not meet Housing Corporation Design and Quality standards and so will not attract grant funding, if they are also unlikely to be self financing then this may render them unacceptable.
- If a developer proposes off-site provision that will deliver a greater number of affordable housing units of sizes/types in line with local need and as part of a more sustainable scheme than would be gained from on-site provision.

42 Commuted sums (financial payments in lieu of on site provision) will only be acceptable if the amount paid will actually result in the provision of the appropriate amount, sizes, types and tenure of affordable housing in a sustainable scheme.

In terms of the commuted sums formula, the Council's approach is as follows:

1. Define the mix of size, type, tenure of the affordable homes
2. Using this mix, agree the rents and shared ownership costs with the RSL partner
3. Using these rent limits and costs ask RSL to advise about the maximum level of prudent borrowing against the scheme
4. Apply the following formula. Purchase price of suitable land + construction costs + on costs – maximum RSL prudent borrowing = developer contribution

Alternatives to on-site affordable housing provision in rural areas

43 The same formula will apply to rural sites as to urban ones and this will take into account the higher land and build costs in rural areas.

44 The Council will seek to ensure that any off-site contribution from sites in the Ashford rural area is spent on the provision of affordable housing elsewhere within the rural area.

45 Where a commuted sum payment is taken by the Council, it will prioritise the investment of that payment in the provision of affordable housing within the same parish as the development site but if no alternative development is likely to come forward within 5 years of the date of receipt of the payment (the Council's well developed affordable rural local-needs housing development programme provides for long term certainty of schemes coming forward) then the payment will be invested in the development of additional affordable housing firstly in any neighbouring rural parish, or as a final alternative, within any rural parish in the borough.

Perpetuity

46 The Council requires the long-term availability of affordable housing to be secured, regardless of tenure. The Council will formalise arrangements for this through Section 106 Agreements. This is subject to 100% staircasing in intermediate tenure (shared ownership) properties and the Right to Acquire. When staircasing occurs or the Right to Acquire is exercised, there should be an enforceable mechanism for the proceeds to be recycled into the provision of alternative affordable housing, wherever possible within the Borough. This is normally achieved through the involvement of an RSL, but the Council may seek additional safeguards where necessary.

47 In rural areas, certain specific safeguards exist to ensure that both intermediate tenure (shared ownership) and rented properties remain affordable in perpetuity. Generally, in settlements of less than 3000 people occupiers of shared ownership properties may not staircase beyond 80% ownership of their home and tenants of rented homes do not have the Right to Acquire or the right to pursue a Social Homebuy purchase. The parishes to which this applies are set out in Statutory Instrument 1997 625 and 1999 1307. The Council will further secure these limits through Section 106 Agreements.

Keyworkers

48 Keyworker housing is aimed at households that cannot afford to purchase a home on the open market and who work in particular public-sector occupations defined by the Government. The Council has extended the definition of keyworkers to:

“An employee within the public sector whose role is essential to the well-being of the community and who is employed within the borough of Ashford or within a 20 mile radius”, or,

“Someone without whom a number of other people or specialist equipment cannot function.”

49 People who believe these criteria apply to them and who are employed in a job other than one of the Government-defined roles must provide a supporting letter from their employer.

50 However, housing specifically for keyworkers is not a form of housing that will satisfy the requirement for affordable housing under policy CS12. Affordable housing may benefit keyworkers where, apart from their keyworker status they qualify for affordable housing. Some keyworkers are not in housing need and would not qualify for general affordable housing. Due to the high levels of housing need in the borough, any key workers who do not qualify for general affordable housing (intermediate tenure or renting) are not provided for by policy CS12.

51 The only instance where specific key worker housing will be accepted is when it is proposed in addition to the 30% affordable housing requirement.

Affordability

Social Rented: rents charged shall not exceed the Housing Corporation maximum rent charges for Registered Social Landlord (RSL) homes (which are dependent on the floor area of each unit).

Shared Ownership: homes will be developed at a cost affordable to households based on average local incomes where the mortgage plus rent does not exceed a third of gross salary. The average cost of shared ownership homes in any scheme should be affordable to a household earning the average local income.

.Intermediate Renting: Rents must be at levels at least 20% below the average market rent for the property size and type.

52 The Council will keep up to date information on the relationship between local incomes and local house prices through the Strategic Housing Market Assessment. This information will be used to inform developers of the percentage equity shares in intermediate tenure homes under the Homebuy scheme that will be affordable to local households.

Service Charges

53 The Council will include service charges as being part of the total housing costs to the occupier. Therefore to meet the affordable housing definition service charges will be limited. As a guide, service charges must not normally be greater than the prevailing assumed housing benefit service charge used by the Housing Corporation

54 The RSL development partner will be able to provide advice on acceptable levels of service charge and whether there is scope to reduce charges through design. Consideration can also be given to the services the charge will cover and whether it is appropriate for some of the services to be made available to occupiers of the market housing only.

Funding for affordable housing

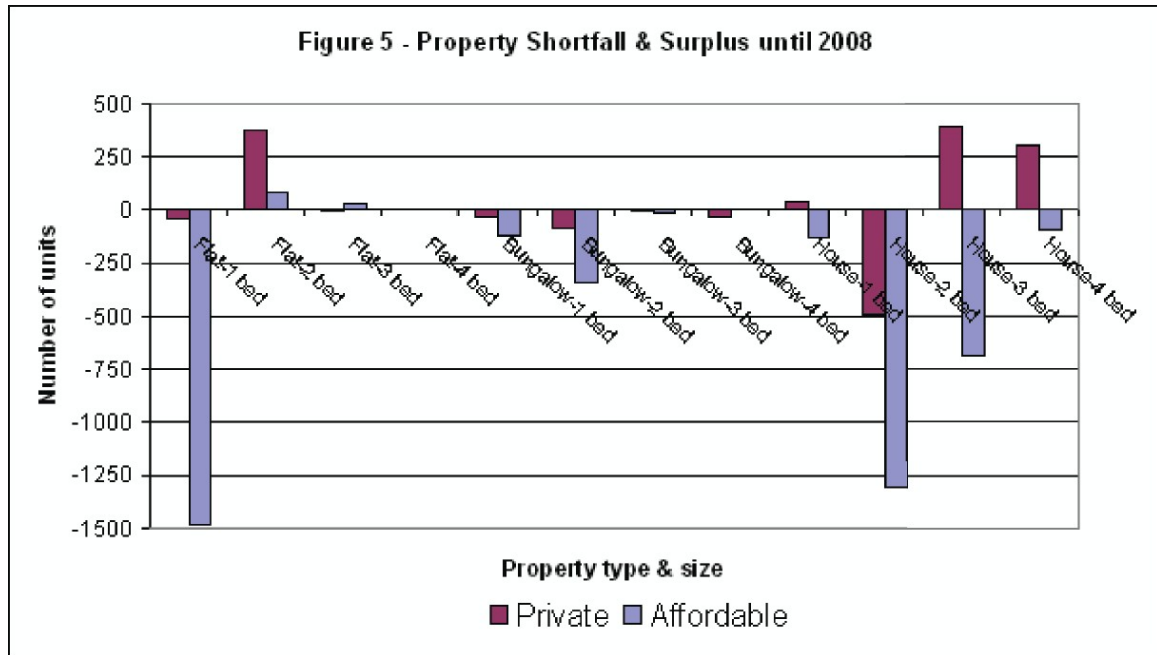
55 As a designated growth area the Ashford urban area has assigned ring-fenced funding as set out by the Regional Housing Board and distributed by the Housing Corporation.

56 The Housing Corporation NAHP Prospectus 2008/11 sets a ring-fenced target of funding for the Ashford growth area of 3.18% of the total available grant for the region and forecasts that £359 million will be available for the South East region in 2007/08. The prospectus states that while this figure should not be seen as indicative of the final amount available it is however the minimum amount that will be available for the following years 2008 to 2011.

Appendix

Appendix A

Sizes and types of affordable homes needed in the Ashford Borough Council Area



Key - Left to Right											
Flat 1Bed	Flat 2Bed	Flat 3Bed	Flat 4bed	Bungalow 1bed	Bungalow 2bed	Bungalow 3bed	Bungalow 4bed	House 1bed	House 2bed	House 3bed	House 4bed

Ashford BC Housing Register % housing need by unit type

	Rural	Tenterden	Willesborough	Ashford Town	Newtown	Ashford
1 bed	53%	46%	42%	52%	45%	46%
2 bed	26%	29%	33%	28%	37%	29%
3 bed	16%	20%	17%	16%	12%	19%
4 bed	4%	4%	7%	4%	5%	5%
5 bed	0.5%	1%	1%	0%	1%	0.5%
6 bed	0.5%	0%	0%	0%	0%	0.5%

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