

**Affordable Housing
Supplementary Planning Document 2019**

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1. Introduction

Purpose

- 1.1 This Supplementary Planning Document (SPD) updates and replaces the original Affordable Housing SPD for West Suffolk produced in October 2013. It is a material consideration when making planning decisions.
- 1.2 The purpose of any SPD is to provide additional guidance on key development plan policies and how they will operate. It should not introduce new policy but supplement existing policies in the former councils' Core Strategies. This SPD aims to provide advice to developers, including registered providers (RPs) on the council's approach to affordable housing provision.
- 1.3 This document will help guide the delivery of affordable housing in West Suffolk which will help to meet the strategic vision and objectives set out in the existing former St Edmundsbury and former Forest Heath area Local Plans by supporting the creation of a sustainable long-term future for communities within West Suffolk.
- 1.4 Guidance is presented on the criteria for delivering affordable housing, including the thresholds and percentages applicable, as well as advice on viability and how and when commuted sum payments will be considered. The SPD also provides advice on the Section 106 (s106) agreements, which will be used to secure the provision of affordable housing on new developments.

Why is a revised SPD required?

- 1.5 This SPD has been produced to expand upon the policies set out in West Suffolk Council's, (known as the "council" for the purposes of this document), core strategies (CS5 for former St Edmundsbury area and CS9 for the former Forest Heath area) and to provide clear policy advice to ensure the delivery of affordable homes in West Suffolk. The council is in the process of producing a West Suffolk Local Plan and until such time we currently have two separate core strategies as set out above.
- 1.6 In particular this SPD gives guidance on:
 - The amount of affordable housing contributions being sought from housing developments
 - Affordable housing providers
 - Providing affordable housing through on-site and off-site contributions
 - Development viability impacts
 - Rural exception sites

- Section 106 agreements for affordable housing provision
 - Management and occupancy arrangements.
- 1.7 This SPD also provides a summary and links to other sources of information that relate to the delivery of affordable housing such as the [Strategic Housing Market Assessment](#).
- 1.8 In this updated SPD we have made particular effort to:
- Emphasise the importance of delivering affordable housing so that we can provide suitable housing for people living and working in the area and that early engagement in dialogue with planning and housing officers will help achieve this.
 - Provide a comprehensive methodology on the calculation of commuted sums. Commuted sum payments will be based on local house prices and the difference between what a registered provider will pay for an affordable property and the subsequent uplift in market value, if the affordable dwelling is no longer provided on site. This approach will help to provide an element of 'future-proofing'.
- 1.9 West Suffolk has a good track record of delivering new affordable housing. Between 2012/13 and 2017/18, 32% of all new homes built were delivered as affordable homes in West Suffolk on larger sites (10 units and above), indicating that the council has been successful in delivering over their 30% requirements as set out in our adopted policy. Over the past six years, West Suffolk has delivered 866 affordable homes, representing 24% of all net housing completions. [West Suffolk Housing Delivery Report.pdf](#)
- 1.10 This SPD will be reviewed should circumstances change, including updates to Government policy and when it is considered by the Council that the SPD needs to reflect those changes. The SPD will also be reviewed once the West Suffolk Local Plan is adopted. In the meantime, this SPD will continue to refer to our core strategies as within the former Forest Heath and former St Edmundsbury Boundary areas.

2. Planning Policy context and local evidence

- 2.1 This SPD has been prepared in accordance with relevant local and national policy and guidance. In addition, it has taken into account other documents prepared by and for the Council. These are summarised below.

National Planning Policy Framework 2019 (NPPF)

- 2.2 The National Planning Policy Framework 2019 produced by the Ministry of Housing, Communities and Local Government sets out the Government's planning policies for England and how these are expected to be applied. Paragraph 61 of the NPPF aims to promote the delivery of a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities by: *'Ensuring the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).'*

- 2.3 Specifically, for affordable housing, the NPPF expects *'affordable housing to be provided on site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified; and that the agreed approach contributes to the objective of creating mixed and balanced communities.'*

- 2.4 The NPPF introduces a new policy requirement:

Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership [as part of the overall affordable housing contribution from the site], unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;*
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);*
- c) is proposed to be developed by people who wish to build or commission their own homes; or*
- d) is exclusively for affordable housing, an entry level exception site or a rural exception site.*

Local housing policy

- 2.5 Affordable housing has a significant role to play in meeting the council's strategic priority to 'Increase and improve the provision of appropriate housing in West Suffolk in both our towns and rural areas.' We also continue to work with registered providers and developers to provide affordable housing across West Suffolk. Increasing the range of housing products available to people in housing need and providing quality alternatives to homelessness will help to deliver this priority.

West Suffolk's Housing Strategy

- 2.6 West Suffolk's Housing Strategy (2018-23) seeks to deliver a step-change in the provision of affordable housing by setting out plans to manage growth and meet the changing needs and aspirations of local residents over their lifetime. This will be achieved by facilitating choice and providing ways of helping residents move through different types of tenure as their circumstances change. The strategy also seeks to secure viable affordable housing to meet identified local needs to help achieve a more balanced, sustainable housing market and make best use of the existing housing stock.

West Suffolk's Tenancy Strategy

- 2.7 West Suffolk's Tenancy Strategy (2018) sets out how the council expects registered providers and other approved providers to operate affordable housing tenancies, and how affordable homes should be managed in future. The council expects that all new affordable homes must be delivered in accordance with this guidance.

West Suffolk Strategic Framework

- 2.8 The priority of affordable housing delivery forms a key part of the West Suffolk Council Strategic Framework. At the time of adoption of this SPD, the 2018-20 Framework included the Council's objective of: "ensuring there is sufficient mix of housing types to meet the needs of our local communities, including delivering 30% affordable housing on any private development." [West Suffolk Strategic Framework](#)

Core Strategy and Development Management Policies

- 2.9 The core strategy sets out a range of affordable housing targets across West Suffolk, based on an assessment of viability in relation to individual settlements, and makes provisions for rural exception

sites and the conversion of rural buildings for affordable housing. Please refer to core strategy policies:

The former Forest Heath area Core Strategy

- CS9 which covers affordable housing requirements

The Former St Edmundsbury area Core Strategy

- CS5 and Policy DM29 (see Table 1), which cover affordable housing requirements and affordable housing in rural areas.
- Policy DM29 relates specifically to the former St Edmundsbury area and the provision of rural housing exception sites within the former St Edmundsbury area.
- The Core Strategies also set out the trigger for affordable housing provision and further detail of these can be found in Section 3.

Housing Needs Assessment or Strategic Housing Market Assessment (SHMA)

- 2.10 A Strategic Housing Market Assessment (SHMA) is required to set out the number of homes needed in the future and to inform local plans and housing strategies, which seek to meet housing need, support a healthy economy and achieve a 'balanced' housing market. The SHMA was last updated in 2013 but in addition, every three months a [Housing Market Bulletin](#) is produced to show recent changes in house prices, numbers of sales, affordability, and other market forces.
- 2.11 In line with the requirements of the NPPF, the SHMA provides an objectively assessed need for market and affordable housing in the wider market area. This provides an overview for the council to determine specific affordable housing needs that will be fit for purpose within different parts of West Suffolk.
- 2.12 For more information, please refer to the most up to date [SHMA](#) for the former Forest Heath and former St Edmundsbury area.

Housing register

- 2.13 The housing register for West Suffolk provides more local detail about the number of households in need of affordable housing in West Suffolk. The housing register currently shows a high overall requirement for affordable dwellings based on a one to four-bedroom need.
- 2.14 In July 2019 West Suffolk's live housing register held 1456 households. This represents the number of households with an

identified housing need and is made up of families and vulnerable people. The households on the housing register require social and affordable rented homes.

- 2.15 This register does not include those people on median to high incomes who are on waiting lists for intermediate affordable housing such as shared ownership or equity share schemes. The Help to Buy agent for West Suffolk is Bedfordshire Pilgrims Housing Association and they hold a separate register of people who want to acquire a low-cost home in the area. Their website is www.helptobuyese.org.uk

Affordable Housing Guide

- 2.16 The [Affordable Housing guide](#) has been produced to help explain what affordable housing is, the different tenures available and the different methods for delivering affordable housing. It is specifically aimed at helping individuals, community groups and parish councils who are interested in understanding and exploring the opportunities for providing new affordable housing within a village and community.

3 Providing affordable housing

- 3.1 It is important that everyone living in West Suffolk has the opportunity to live in a decent and affordable home. One of the priorities of the West Suffolk Housing Strategy is to ensure “Partners will work together to continue to enhance the supply of affordable housing, using land, resources and influence.”
- 3.2 This reflects the commitment of West Suffolk to help local people who cannot afford to buy or rent a home on the open market in the area.

What is affordable housing?

- 3.3 The type and tenure of affordable housing required on development sites will be determined, in discussion with the applicant, by consideration of a combination of information including the:
- Strategic Housing Market Assessment
 - Local housing needs surveys/rural profiling data
 - Housing register/Choice Based Lettings data
 - Availability and type of existing stock
 - Local housing market
 - Neighbourhood plans.
- 3.4 As well as the scale and need, the dwelling mix will depend on the nature of the development, the location and constraints of the site, the facilities available locally and any local development aspirations for the area.
- 3.5 The council’s preference on the type and tenure of affordable housing, that will form the starting point for negotiations, will be based on the findings of the SHMA and housing register. The Strategic Housing Team at West Suffolk will also consider relevant additional up to date evidence of specific local need, identified at the time of negotiations.

Amount of affordable housing required

- 3.6 The council will expect new developments to contribute towards the delivery of affordable housing, in relation to individual settlements. These targets are set out in the core strategies and have been tested as viable and are considered a reasonable target to achieve on all developments. Although it should be noted that different criteria will apply in relation to rural exception sites (see page 20).

3.7 **Developments within the former Forest Heath area boundaries**

Policy CS9 Provision for Affordable Housing

On all schemes of 10 or more dwellings or sites of 0.5 hectares a target of 30% of the total net new dwellings will be sought as affordable

Where this policy would result in a requirement that part of a dwelling should be affordable a financial contribution of equivalent value to that 'part dwelling' will be required.

3.8 **Developments within the former St Edmundsbury area boundaries**

Policy CS5 Provision for Affordable Housing

In new developments of 10 or more dwellings or sites of 0.5 hectares a target of 30% of the total net new dwellings will be sought as affordable

Where this policy would result in a requirement that part of a dwelling should be affordable, a financial contribution of equivalent value to that 'part dwelling' will be required.

3.9 In accordance with the revised NPPF as defined within its [Annex 2](#) West Suffolk Council will be seeking to secure affordable housing on major developments where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.

3.10 Where existing dwellings are being demolished, the application of the target will apply to the net increase in dwellings in a site. The target also applies to conversions (e.g. barn conversions) as well as new build.

3.11 The NPPF 2019 specifies the affordable housing products available and defines these as:

Affordable housing as housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable

Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

Affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low-cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision or refunded to Government or the relevant authority specified in the funding agreement.

Discounted market sales housing*: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

Starter homes *: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

* NB: These products will be considered, subject to the evidence of need. (The Council's preferred choice for home ownership is shared ownership as evidence from the Help to Buy Register can justify the need for this product type)

- 3.12 Homes that do not meet the above definition of affordable housing, will not be considered as affordable housing in West Suffolk. When new products emerge, which meet the Government's definition they will be considered as affordable housing for planning policy purposes. Gypsy and Traveller pitches will only be classed as affordable housing units where they are managed under legal agreements by an RP, the council or Suffolk County Council, subject to a nominations agreement and occupied by a nominee of the council's choosing.
- 3.13 Our core strategy policies CS5 and CS9 as defined above are silent on the inclusion of starter homes, discount market housing and other routes to affordable homes ownership. The council will have due regard to the definitions in the NPPF (2019) and the consideration of these products in new applications where it can be demonstrated that it addresses an affordable housing need across West Suffolk. This SPD cannot change approved Policy CS5 or CS9, but it can highlight how these products will be considered.
- 3.14 The revised NPPF (2019) introduces entry level exception sites which are: *'suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area. These sites should:*
- a) *comprise of entry level homes that offer one or more types of affordable housing as defined by the NPPF; and*
 - b) *be adjacent to existing settlements, proportionate in size to them [not be larger than one hectare or exceed 5% of the size of the existing settlement], not compromise the protection given to areas or assets of particular importance in the NPPF and comply with any local design policies and standards.'*

Tenure mix

- 3.15 The findings from the Housing Needs Assessment (or SHMA) will be particularly important to the determination of an agreed mix, to reflect current need. The council will also use the most up to date information available on local need to inform its negotiations on the affordable housing mix, including local registers of need for rented and intermediate housing.
- 3.16 The tenure mix required on each site will take into account the tenure profile of the surrounding area. It will be based on the prevailing need for affordable housing units and is to be agreed with the Council's Strategic Housing Team on a site-by-site basis. If

the proposed affordable housing mix between social/affordable rented and intermediate housing is not acceptable, then the Council's Strategic Housing Team could object to the planning application and this could lead to a refusal of the planning permission.

Table 1 shows the tenure mix sought by policy CS5 and CS9.

Size of site (gross)	Affordable housing – on-site mix	Units sought off-site
	Former St Edmundsbury Area CS5 Policy	
10 or more: or a site area requirement of 0.5ha in the former St Edmundsbury Area	80% social and affordable rent, *20% intermediate <i>(On smaller sites where the requirement for affordable housing may trigger one or two dwellings and the NPPF requires at least 10% of the intermediate percentage as stated above to be delivered as a form of low cost home ownership, it will at the discretion of the RP as to whether they will be willing to take a single dwelling. Alternatively, if this is not supported by the RP, the 10% required will need to be secured as a commuted sum in lieu of onsite provision.)</i>	Only in exceptional circumstances.
	Former Forest Heath Area CS9 Policy	
10 or more: or a site area of more than 0.5ha in the former Forest Heath Area	70% social and affordable rent, *30% intermediate <i>(On smaller sites where the requirement for affordable housing may trigger one or two dwellings and the NPPF requires at least 10% of the intermediate percentage to be delivered as a form of low cost home ownership it will at the discretion of the RP as to whether they will be willing to take a single low cost ownership</i>	Only in exceptional circumstances.

Size of site (gross)	Affordable housing – on-site mix	Units sought off-site
	<i>product. Alternatively, this will need to be secured as a commuted sum in lieu of onsite provision.)</i>	

Extra care and sheltered housing schemes

- 3.17 Extra care and continuing retirement communities often provide self-contained units for sale to meet the needs of a growing older population. Extra care housing can take a variety of forms which can influence whether it is part of the C2 (Residential Institution) or C3 (Dwelling House) Use Class. The nature and type of service and accommodation in a scheme will determine the use class and therefore whether it needs to accord with the provisions to provide affordable housing on site as part of Policy CS5 and CS9.
- 3.18 For the purposes of this supplementary guidance, extra care housing will be regarded as a model of housing that combines independent housing with flexible levels of care and support. Schemes might incorporate purpose-built, self-contained and accessible rented, shared ownership, or leasehold accommodation. Extra care schemes will be subject to planning obligations to contribute to affordable housing under s106 agreements depending on the specific characteristics of the relevant scheme. The obligation to make an affordable housing contribution will depend on which Use Class Order the council considers the scheme to be.
- 3.19 In relation to extra care schemes, the factors which differentiate C2 and C3 are those relating to the predominant level of care provided and whether it is provided as a condition of residency, which is more likely to indicate a C2 classification. However, receiving a care service does not in itself necessarily determine it as C2 accommodation if it is not a requirement. If the level of care provided is high or equivalent to the service normally associated with residential care homes, a C2 classification would be indicated.
- 3.20 The council will take all the characteristics of a scheme into account in determining the use class and will not consider any one factor as the defining criterion.

The affordable housing requirement for an extra care scheme

- 3.21 Where a C3 use is determined, an Extra Care housing scheme will be subject to the provisions of policy CS5 (former St Edmundsbury

Area) or CS9 (former Forest Heath Area) and be required to achieve 30% affordable housing on-site (dependent on the size of the development).

Affordable housing – registered providers

- 3.22 The council will require the affordable dwellings on a new development to be delivered by or transferred to a registered provider (RP), except in the provision of a Build to Rent or Discounted Market Sale Scheme as defined by the NPPF. Developers are encouraged to involve an RP at the earliest opportunity and to take advantage of their experience in the delivery of affordable housing and securing funding, when available.
- 3.23 Although the council will not impose the choice of a RP partner on a developer, it has worked closely with several RPs, which operate within West Suffolk. West Suffolk Council would expect that affordable rents are affordable to those on local incomes and therefore will require that all affordable rents do not exceed the prescribed local housing allowance.
- 3.24 Where a private developer is obligated to provide affordable housing, it will be expected that they enter into a Section 106 agreement. The s106 agreement will require that a nominations agreement is entered into with the council to ensure that the affordable dwellings remain affordable in perpetuity. In all cases, the council expects that affordable houses are free from burdens of service charges and has a preference that properties are built to MHCLG "Nationally Described Space Standard". Further guidance on site can be found in Section 4 of this document.

4. Delivering Affordable Housing

- 4.1 A significant proportion of affordable housing within West Suffolk and nationally is delivered without any public subsidy from Homes England. Applicants will need to consider this when purchasing land and considering the economics of the development. Applicants are responsible for the delivery of affordable housing and working with RPs is common practice. Therefore, early engagement with an RP is highly recommended.
- 4.2 Appendix 3 of this document contains an affordable housing checklist. This checklist is designed to guide applicants and illustrate what affordable housing related information will be required as part of the planning application process.

Planning applications

- 4.3 All relevant planning proposals should comply with Government guidance and the adopted former Forest Heath and former St Edmundsbury Area Local Plans, as supplemented by this SPD. Failure to do so may lead to a refusal for planning permission unless amendments can be made, planning conditions imposed, or legal agreements introduced to minimise or counter any potential negative impact of the development site.
- 4.4 As part of the decision-making process, the council will need to reach an appropriate balance between a wide range of competing planning objectives and material considerations in order to manage the development and use of land in the wider public interest. A balance will need to be struck between the relevant policies in the local plan and the specific circumstances of each case.
- 4.5 For full details on planning conditions, obligations and the Community Infrastructure Levy, please see separate documents entitled:
- [Planning Guidance Documents](#)
 - [S106 and Community Infrastructure Levy Schedule](#).

Full applications

- 4.6 Full applications should confirm the amount of development proposed, including the amount of affordable housing to be provided; the dwelling mix in terms of tenure and unit size and the location of the affordable homes. In addition, it would be helpful if applications identified if any plots are designated for custom or self-build dwellings. If the affordable housing cannot be provided on site, application documentation should confirm the percentage of financial contribution to be provided. This must be agreed with the council.

Outline and reserved matters applications

- 4.7 If an outline application is made, the council will require applicants to define the affordable housing element of the scheme. This will be secured through planning obligation. Outline applications are therefore advised to set out the following:

- The percentage of affordable housing to be provided
- The indicative dwelling mix and location of the affordable homes
- The indicative tenure mix and dwelling types and sizes.

- 4.8 Reserved matters applications should confirm the affordable housing mix proposed on the site. Developers will be expected to provide details of the specific location of affordable housing within the site, usually including plot numbers, number of bedrooms, gross internal floor area of each affordable dwelling type and tenure. The dwelling and tenure mix should broadly reflect the indicative housing mix specified within the outline application.

Distribution of new affordable homes within the development site

- 4.9 The nature and size of the proposed development will influence the distribution of the affordable homes. In all cases they should be an integral part of the development. The required density on a given site will need to have regard to its wider context and other policies associated with the local plan.
- 4.10 The council will usually expect affordable units to be distributed around the site, rather than grouped together in one area. On large sites, RPs may prefer small clusters of units for management reasons. In exceptional circumstances, such as a development of flats, it may be appropriate to have the affordable housing in one location within the development (providing that this will still create a balanced and sustainable community).

- 4.11 Based on local experience, the affordable housing in villages with a population under 3000 should not be concentrated in clusters greater than six properties and in towns, key service centres and villages (as defined in the core strategy) clusters no greater than fifteen properties.
- 4.12 On phased developments or large developments split into parcels of land, developers must consider the clustering of affordable housing on neighbouring parcels to ensure the even distribution of affordable housing clusters throughout the development area as a whole.

Access to flatted development

- 4.13 Developers should avoid designs that would result in high maintenance and services charges affecting the affordable part of the development. When designing a scheme, it is recommended that applicants liaise with the Council's Planning and Strategic Housing Team early in the design process.
- 4.14 In flatted schemes, no more than fifteen affordable dwellings should normally have access from a common stairwell or lift. This is in line with the [Homes England Housing Quality indicator 2.15](#).

Design of new affordable homes

- 4.15 To ensure the creation of mixed and integrated communities the affordable housing should be "tenure blind". This means that it should not be visually distinguishable from the market housing on the site in terms of build quality, materials, detailing, levels of amenity space and privacy. Reductions in size, use of sub-standard materials, or poor finishing and detailing are not an acceptable shortcut to affordability.
- 4.16 The council's preference is that all new affordable housing proposed meets the new Nationally Described Space Standards for each dwelling type. The council has introduced a Technical Advice Note that sets out West Suffolk Council's interpretation of the Nationally Described Space Standards published in March 2015, which came into effect in October 2015. This should be read in conjunction with Building Regulations requirement M4 (2) 'accessible and adaptable dwellings'.
- 4.17 The Technical Advice Note is helping the council to guide appropriate space standards when considering applications for residential (Use Class C3) development in West Suffolk. This will result in residential developments that are well designed and fit for purpose, have a positive impact on residents' health and well-being, provide adequate space for occupants' amenities and enable

greater adaptability in terms of lifetime change. Further information can be found on [West Suffolk Council's website](#).

- 4.18 [The Suffolk Design Guide 2018](#) provides further details, identifying the principles that should be followed to deliver good quality design of new development across Suffolk. These principles apply equally to affordable housing and market housing.
- 4.19 Where sites or areas are subject to other guidance prepared by the council for example a masterplan or strategic design codes, developers must consider the affordable housing requirements carefully to reflect all appropriate guidance.

Accessible housing, lifetime homes and specialist accommodation

- 4.20 The council will encourage all affordable homes to achieve Lifetime Homes Standard. The [Lifetime Homes Standard](#) incorporates design features which can be adapted to different occupiers needs or to encourage the provision of lifetime homes and the council will work with developers to ensure such provision.

The phasing of affordable housing provision

- 4.21 Affordable housing units must be provided without unreasonable delay; as a guide, the affordable housing units should be completed proportionately with the market housing. However, the council will consider the timing of affordable housing delivery on a case by case basis.
- 4.22 The timing of the delivery of the affordable housing is particularly important on larger schemes, where poor timing can result in isolated pockets of development and cause problems with infrastructure delivery, leading to a poor living environment for new residents in the short term. Phasing of affordable housing delivery should generally be commensurate with market housing, considering the phasing of other infrastructure.

Off-site provision

- 4.23 The council recognises that there can be exceptional circumstances where an alternative to the inclusion of affordable housing on-site may be appropriate.
- 4.24 On-site provision will always be the council's preference. Off-site provision or a commuted sum will, however, be considered where it is robustly justified, usually where provision of affordable housing

on-site cannot reasonably be accommodated or the council feels that on-site provision is not appropriate in a given location (e.g. if the council feels that there is more benefit to be gained by making improvements to existing stock).

4.25 Applicants will need to provide evidence-based reasons why on-site provision is not appropriate. Such reasons may include:

- The conversion or redevelopment of existing buildings (e.g. barn conversions or listed buildings) where the resulting dwellings may not meet the standards required to attract grant funding and may, therefore, be unacceptable to a RP
- Insurmountable problems with funding meaning that a RP is unable to commit to the scheme (N.B. neither the absence of grant funding nor the absence of a RP willing/able to take on the scheme will be considered as evidence until non-grant funded options and direct provision by the developer have been fully explored)
- Where there is a dominance of a particular type or tenure of affordable housing, or an overly high concentration of affordable housing in the immediate area, and further provision would be unlikely to support the creation of mixed communities.

4.27 The alternatives to on-site provision are set out in priority order in Table 2.

Table 2: Hierarchy of Alternatives to on-site provision

Type of Provision	Notes
Provision of affordable units on an alternative site.	This may include two separate sites within one application, but this will be at the absolute discretion of the local planning authority.
Purchase of land for a RP or other body identified council within the same settlement.	Suitable land within the same settlement or place as the application site will be transferred at no cost to a RP or any other body identified by the council, who will then finance and build the required affordable homes on that land. The location should be agreed with the appointed housing officer.

Type of Provision	Notes
Purchase of existing housing units within the local authority area.	The developer will purchase the required number of units on the open market and sell them to a RP or other body identified by the council at a 30%-40% discount. The location, quality, cost, size and design of the units must be agreed with the RP and the council's housing officer to ensure the units meet the prevailing need and are of an appropriate standard.
Purchase of land for a RP or other body identified by the council elsewhere in district.	Suitable land elsewhere in West Suffolk will be transferred at no cost to a RP or other body identified by the council, who will then finance and build the required affordable homes on that land. The location should be agreed with the appointed housing officer.
Commuted sum for affordable housing.	The council may be willing to accept this option on sites of 0.5 hectares or more but only if all other options have been discounted.

4.28 In respect of the alternatives to on-site provision listed in Table 2, land should be provided at no cost to an RP or other body identified by the council and the gap between construction costs and what an RP or other body is able to afford should be reflected in negotiations between developers and landowners. Where off-site affordable housing is exceptionally agreed, payments-in-lieu will normally only be agreed where, for example:

- On smaller sites, where RPs may not want affordable housing because of management difficulties
- Service charges and other costs are prohibitively expensive to occupiers of affordable housing
- The council/RP does not consider it appropriate to have units in that location due to their unaffordability
- The site is in a remote, rural location outside of any of the villages listed in the settlement hierarches in the council's core strategies.
- Where such issues could reasonably have been anticipated and addressed prior to the submission of an application, the application is likely to be refused.

Commuted sums

4.29 As noted above, the presumption is that affordable housing will be provided on site. Financial contributions in lieu of on-site provision of affordable housing will only be considered if:

- The requirement that 30% of all homes results in less than a whole number of homes. In such instances, the fraction of a home will be taken as a commuted sum
- In exceptional circumstances where the council is satisfied that there is good case in housing needs terms for an affordable property or properties *not* to be provided on site.

4.30 The commuted sum payments formula aims to ensure that the housing developer is neither advantaged nor disadvantaged by providing a commuted sum in lieu of onsite provision. The council wishes to ensure that the calculation of the commuted sum is simple and transparent. The commuted sum calculation is as follows:

Step 1. Calculate the open market value of the dwelling(s) on the site that would otherwise being provided as an affordable rented or a low-cost home ownership dwelling

Step 2. Calculate the amount a registered housing provider (or other provider of affordable housing) would pay for the dwelling(s) if it were to be provided as affordable rented or low-cost home ownership housing

Step 3. Subtract the figure at step 2 from the figure at step 1. This is the commuted sum.

How the commuted sum calculation should be applied

4.31 The calculation can be used to calculate the commuted sum arising from one or more dwelling not provided on site.

4.32 If the calculation is to be used to work out the commuted sum relating to a fraction of a property, the same method should be used but at steps 1 and 2, the property to which the values and prices apply should be a property on site that could reasonably be provided as affordable housing.

4.33 If, for whatever reason, the developer and council agree that there are no properties in the development that could reasonably be used in steps 1 and 2 of the negotiation, both parties shall agree on an alternative 'reference' property. The reference property would be a property of the same type as that or those foregone on site, with the same number of bedrooms and in the same location (meaning within the same town or village or broad location) that a RP (or

other provider of affordable housing) could reasonably be expected to purchase in the open market to mitigate the non-provision of that dwelling on site.

- 4.34 If a large number of affordable dwellings are to be funded via a commuted sum rather than on site (or off site) provision, the developer and council may agree to a RP offer price (or that of another provider of affordable housing) being based on a mix of affordable rented and low cost home ownership homes.
- 4.35 Open market values may be derived from web-based information, the Land Registry or from specific valuations.
- 4.36 Registered providers' prices (or those offered by another provider of affordable housing) may be derived from actual offers made for the dwellings concerned, exemplar offers for the type of dwellings in question, whether made by a provider in relation to those particular properties or not, typical values evidenced with reference to similar schemes or the capitalised value of the net rental stream for social and affordable rent (gross rent less service charge, management, maintenance, voids and bad debts), and the value of the first tranche sale plus the capitalised value of the net rental stream for the shared ownership units.
- 4.37 The council does not wish the calculation of commuted sums to place too onerous a burden on developers and it is expected that in many cases the developer will already be in contract with a RP and therefore have information regarding what a provider would offer or indeed has offered to pay for a particular type of dwelling or tenure. If this information has already been used in the developer's viability appraisal this may be used.
- 4.38 Regardless of the source of any market values or RP's prices, the council reserves the right to substitute its own figures and evidence should it wish to challenge any of the developer's inputs. The final commuted sum figure will then be derived through negotiation.
- 4.39 Should the developer provide no evidence at all, the council reserves the right to use its own calculation and should the developer not provide any subsequent evidence to the contrary, the council expects that its figures will form the agreed level of commuted sum payment.

How will the Commuted Sum be spent?

- 4.40 When financial contributions are received, these will be pooled and spent on the provision of affordable housing to achieve any of the following:
- development of more affordable housing by whatever route;
 - achieve more larger/specialist/costly homes that otherwise would not be provided
 - acquisition of land for affordable housing and onward disposal
 - offset the cost of any land being provided by the council which might otherwise be sold on the open market
 - purchase of existing or additional units for use as affordable housing
 - to provide financial support for the development of affordable housing in West Suffolk.

Section 106 agreements

- 4.41 Delivery of affordable housing will be secured through a planning obligation. This will consist of a Section 106 (s106) Agreement. A Section 106 of the Town and Country Planning Act 1990 (as amended) allows the local planning authority to enter into a legally binding agreement with anyone who has an interest in the land with a landowner in association with the granting of planning permission in order to secure planning obligations such as contributions towards or the provision of affordable housing.
- 4.42 The s106 obligations should be completed to enable the grant of planning permission within the statutory 8 weeks & 12-week periods, or by an agreed extension to these timescales.
- 4.43 Where affordable housing is to be secured by Section 106 Agreement, the council will provide its standard draft and the applicant will be required to pay the council's legal and administrative costs incurred in negotiating and completing the deed and the costs of the transfer of any land to the council, as well as to pay a contribution towards the cost of monitoring for compliance.
- 4.44 The proposed heads of terms of any agreement will need to be established before instructions to draft a section 106 agreement are issued.
- 4.45 The council will be reasonable in applying its policies on affordable housing and will have regard to best practice and other advice, including the Homes England guidance on promoting mortgage access for affordable housing. The council recognises the tests in

the Community Infrastructure Levy (Amendment) Regulations 2018 (Regulation 122) and in the NPPF 2018 for planning obligations.

- 4.46 If a payment in lieu has been agreed, the council will negotiate for payment or a proportion of payment to be triggered on completion of an agreed number of units or particular development phase. s106 agreements should refer to payment upon the completion of the units to which that payment relates. Any financial contributions will normally be index linked to the Building Cost Information Service (BCIS) and take into account of any price increases in the index during the time period that elapses between the date of the deed and when the contribution is due to be paid.
- 4.47 Planning obligations will only be sought where they meet all the following tests:
- a) Necessary to make the development acceptable in planning terms
 - b) Directly related to the development
 - c) Fairly and reasonably related in scale and kind to the development.
- 4.48 The council will expect all RPs to enter into a nominations agreement with the council to ensure the management and occupation of the affordable dwellings in accordance with the council's policies. Please see section 6 for further details.

Rural exception sites (RES)

- 4.49 The former St Edmundsbury area Core Strategy Policy DM29 and former Forest Heath area CS9 Policy permits small-scale affordable housing developments adjacent to existing villages in the countryside as an exception to normal policy. This only applies where the proposed development is small-scale, and where affordable housing is required to meet recognised local need in those villages.
- 4.50 Paragraph 77 of the NPPF 2019 adds that in rural areas, housing should respond to local needs particularly for affordable housing, including through rural exception sites, where appropriate. Consideration should be given to allowing some market housing where it would facilitate the provision of significant additional affordable housing to meet local needs.
- 4.51 An exception site is normally but not explicitly likely to consist of:
- no more than 10 units in a larger village
 - no more than five units in a smaller village.

- 4.52 An application for affordable housing to meet local needs will be viewed favourably where:
- the need is proven – this must be based on robust evidence using an up to date profile of the village, such as rural profiling data, Neighbourhood Plan and evidence through Housing Needs Surveys
 - the need cannot be met on other more suitable sites in a nearby town or the village
 - the site is suitable in all other respects.
- 4.53 The new housing should:
- be delivered through a RP or other body recognised by the council (including a village or other charitable trust, or exceptionally with the involvement of a developer)
 - meet the type of local need identified
 - be available to people with a local connection as a matter of priority
 - remain affordable in perpetuity (this is explained further in paragraphs 6.11-6.13).
- 4.54 Rural exception sites should be located adjacent to the development boundary of the village.
- 4.55 To encourage rural exceptions developments, the council will:
- promote the rural exceptions policy with parish councils, supporting relevant neighbourhood plans and Housing Needs Surveys
 - advise of the information it holds on rural needs (through the appointed housing officer).
- 4.56 While the whole of a rural exceptions scheme is normally expected to deliver 100% affordable housing, the Local Planning Authority will support opportunities to bring forward rural exceptions sites that will provide affordable housing to meet an identified local needs and will consider allowing some market housing on these sites would help to facilitate this. Given that such housing development would only proceed on an exception's basis, we would expect the land value achieved to reflect this and be considerably lower than that achievable on an unfettered housing development site.
- 4.57 Where rural exception sites are proposed, they should take account of the provisions of any conservation area appraisals/management plans, village design statements, parish plans or neighbourhood plans. The [Historic England Affordable Housing guidance](#) is relevant as is the guidance on the [conversion of traditional farm buildings](#).

Local Connection Criteria

- 4.58 Affordable housing within West Suffolk will ordinarily be allocated in line with the prioritisation criteria detailed in West Suffolk's Allocation Scheme. On certain rural sites, the council may seek to prioritise the letting and or sale of affordable housing to those with a local connection to the parish in which the homes are being developed.
- 4.59 The exact definitions of local connection applying to a particular scheme will be clearly set out in the Section 106 agreement, where applicable.

5. Viability testing

- 5.1 A viability assessment is a process of assessing whether a site is financially viable, by looking at whether the value generated by the development is more than the cost of developing it.
- 5.2 The [National Planning Guidance \(NPPG\)](#) sets out the Government's recommended approach to viability assessment for planning. The approach supports transparency in the viability assessment process so that it is clear what policy requirements will inform planning decisions including the contributions expected from the developer. (For example, the level and type of affordable housing and for supporting infrastructure including education, transport and health).
- 5.3 The approach to viability should accord fully with the NPPG (dated May 2019) and any subsequent amendment to it.

6. Management and Occupancy

Management

- 6.1 The council's preference is for affordable housing to be transferred to a RP or another body recognised by the council (except for the provision of a Build to Rent or Discounted Market Sale Scheme), once it has been built. It will then be managed as affordable housing with reference to Homes England guidelines and the Council's Tenancy Strategy. An agreement with the provider of the affordable housing should be reached at an early stage of the process as it will normally provide some financing for the affordable units.
- 6.2 Equity share may be more appropriate on smaller schemes and may directly involve the council or RP. In other circumstances, developers may choose to retain ownership of the affordable housing and manage it directly. In any case, the council will want to ensure that appropriate management arrangements are in place.
- 6.3 The council welcomes the opportunity to work with a range of RPs with a local presence in West Suffolk or whose nearest local office is no more the 50 miles from the development site.

Affordability

- 6.4 The council will need to be satisfied that rental levels, service charges and shared ownership or shared equity costs are genuinely affordable to occupants both in the short term and the long term. The council will seek to ensure that all affordable rent levels, including any service charge do not exceed the local housing allowance.

Control of occupancy

- 6.5 The council will ensure that occupancy of the affordable housing units provided is restricted to eligible and qualifying households whose needs are not met by the market. There will be an obligation set within the s106 for RPs or developers who retain the affordable housing to enter into a nomination agreement.
- 6.6 People in housing need will comprise:
- People nominated by West Suffolk
 - Those nominated by a registered provider, where the council does not have nomination rights, for example in respect of some intermediate housing and specialist supported housing

- Those nominated from other registers of housing need as agreed by the council.
- 6.7 This will include households in the Cambridge Sub Regional Housing Market Area, which have access rights to affordable housing through the sub regional Choice Based Lettings Scheme.
- 6.8 Where deemed appropriate, the council will consider negotiating local lettings plans in order to promote the development of sustainable communities, taking account of issues such as the proportion of working households, number of school children.
- 6.9 For rented properties (social and affordable rented housing) the council will expect to be able to nominate 100% of the initial lettings and 75% of re-lets.
- 6.10 For shared ownership and shared equity properties secured through s106 agreements on privately developed sites the council expects that all properties will be advertised through the Help to Buy agent (or any successor body or arrangement) with the agent being able to nominate to 100% of initial sales and re-sales.

Perpetuity

- 6.11 In accordance with the definition of affordable housing, the council will ensure that affordable homes delivered under Policy CS5 and CS9 either remain available at affordable rents in perpetuity, or the 'release' of development subsidy at the point of resale is recycled to provide further affordable housing to meet identified local needs.
- 6.12 All money received as a result of occupants either purchasing their property through the 'right to acquire' or 'right to buy' or acquiring a further share through 'stair casing' should, subject to any statutory restrictions, be used to provide affordable housing within West Suffolk. Recovered Homes England grant must either be paid back to the agency or recycled to provide affordable housing, in accordance with the Homes England guidance on recycled capital grant funding. Equity share arrangements will be set out through a Section 106 agreements as a charge on the property.
- 6.13 Affordable rented housing on rural exception sites (Policy DM29) should be provided in perpetuity. Shared ownership dwellings will have the ability to staircase to 100% on rural exception sites but subsequent sales will need to comply with the local connection criteria set out within the s106.

Appendices

Appendix 1: Viability appraisal content

An appraisal will be expected to include, as a minimum:

- **Building costs:** to include site works and unit construction works expressed as a price per m² of proposed built form
- **Land value:** a sum of money available for the purchase of land can be calculated from the value of the completed development minus the costs of development
- **Site abnormal:** which may be considered to include site remediation; decontamination; or unusual engineering or infrastructure costs
- **Professional fees:** which should be broken down to include planning application costs; building costs); marketing costs; and sales fees
- **Planning obligations:** all non-affordable housing s106/CIL costs that will be incurred by the proposal
- **Finance costs:** which should be costs associated with borrowing incurred over the development period to cover expenditure before receipts are secured
- **Contingencies:** which should be an allowance to cover the risk of cost overruns on the above and should be at a reasonable level
- **Developers profit/return:** which should be the level of return that is expected to the developer (related to market risk and the needs of investors)
- **Residential and non-residential market values:** expected sales and/or yield for the development proposed broken down by unit type (with evidence of recent sales values for comparable schemes (in terms of location and size of the development) including date of sale, size of property, value achieved and address details)
- **Grant funding:** which should be an allowance for any grant funding secured to deliver any elements of the development, including affordable housing.

Applicants will also be expected to demonstrate that they have, as a minimum, considered different options in relation to:

- **Scale and mix of uses:** amendments to scheme layout and design can have a significant impact on value generation
- **Phasing of development:** whereas high upfront infrastructure costs can have a detrimental impact, bringing forward high value generating uses in the programme will have a converse positive impact. Similarly, discounting the cash flow can assist with overall viability
- **Affordable housing mix and tenure:** changing the mix and tenure of housing can have a significant effect on the percentage of affordable housing that can be delivered.

Appendix 2: Calculating a commuted sum.

Examples of calculating the affordable housing contribution required for an application.

Example 1: Off-site contribution

Using the above methodology, the example below indicates an example of the amount of commuted sum that a developer could be expected to pay in lieu of off-site affordable housing provision.

Scenario A

30 new homes proposed in Newmarket where with a 30% affordable housing target applies.

This gives an affordable housing target of: $30 \times 0.3 = 9$

The estimated open market value of a three-bed semi-detached property in Newmarket is £200,000.

A registered provider or other housing provider would pay approx. £130,000 for that property as an affordable dwelling.

Therefore, the commuted sum is the difference between the open market value and the value paid for an affordable dwelling by a Registered Provider.

Commuted sum payable = $£200,000 - £130,000 = £70,000(x 9) = £630,000$

Example 2: On-site contribution

An example of calculating an on-site contribution is:

A development of 12 dwellings in Bury St Edmunds would trigger a 30% affordable housing requirement. This would equate to an on-site affordable housing contribution of:

$12 \times 0.3 = 3.6$ dwellings.

Therefore, the onsite contribution would be for 3 of the 12 dwellings to be provided as affordable homes on site and 0.6 of a dwelling to be provided as a commuted sum. The methodology for calculating the 0.6 of a dwelling is the same as the calculation for an off-site contribution.

The estimated open market value of a three-bed semi-detached property in Bury St Edmunds is £220,000.

A registered provider or other housing provider would pay approx. £130,000 for that property as an affordable dwelling. Therefore, the commuted sum is the difference between the open market value and the value paid for an affordable dwelling by a registered provider.

Commuted sum = £220,000 - £130,000 = £90,000 (then multiply £90,000 by 0.6) = £54,000.

Commuted sum payable for 0.6 of a three-bed semi-detached property in Bury St Edmunds is £54,000.

*Please note these figures used are hypothetical and do not represent an accurate open market value or do they indicate an indicative price paid by a registered provider of social housing for a three-bed semi-detached property.

Appendix 3: Affordable Housing Checklist

The list below offers a guide to what will be required in a planning application submission in relation to affordable housing. For outline planning applications, the list below will not be wholly relevant and submitted documents may show indicative information. This is a guide only, the list is not exhaustive.

- Site plan showing tenures (rented and intermediate)
- Floor plans showing tenures with areas (rented and intermediate)
- Floor plans showing the location of the wheelchair accessible unit(s), if applicable
- Gross internal floor areas of all affordable dwellings
- A schedule of accommodation showing number, size (number of bedrooms), type (houses, flats and duplexes) and tenure of units, including highlighting wheelchair accessible units
- Number of bed spaces
- Car parking plan showing tenures
- Phasing plan
- Elevations of affordable housing and private housing.

Glossary

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) **Discounted market sales housing** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

Air quality management areas: Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

Ancient or veteran tree: A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.

Ancient woodland: An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).

Annual position statement: A document setting out the 5 year housing land supply position on 1st April each year, prepared by the local planning authority in consultation with developers and others who have an impact on delivery.

Archaeological interest: There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

Best and most versatile agricultural land: Land in grades 1, 2 and 3a of the Agricultural Land Classification.

Brownfield land: See previously developed land.

Brownfield land registers: Registers of previously developed land that local planning authorities consider to be appropriate for residential development, having regard to criteria in the Town and Country Planning (Brownfield Land Registers) Regulations 2017. Local planning authorities will be able to trigger a grant of permission in principle for residential development on suitable sites in their registers where they follow the required procedures.

Build to Rent: Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.

Climate change adaptation: Adjustments made to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities.

Climate change mitigation: Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.

Coastal change management area: An area identified in plans as likely to be affected by physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal accretion.

Community forest: An area identified through the England Community Forest Programme to revitalise countryside and green space in and around major conurbations.

Community Right to Build Order: An Order made by the local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a site specific development proposal or classes of development.

Competent person (to prepare site investigation information): A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.

Conservation (for heritage policy): The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

Decentralised energy: Local renewable and local low-carbon energy sources.

Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular: a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

Design code: A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area.

Designated heritage asset: A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

Designated rural areas: National Parks, Areas of Outstanding Natural Beauty and areas designated as 'rural' under Section 157 of the Housing Act 1985.

Developable: To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

Development plan: Is defined in section 38 of the Planning and Compulsory Purchase Act 2004, and includes adopted local plans, neighbourhood plans that have been made and published spatial development strategies, together with any regional strategy policies that remain in force. Neighbourhood plans that have been approved at referendum are also part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.

Edge of centre: For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

Entry-level exception site: A site that provides entry-level homes suitable for first time buyers (or equivalent, for those looking to rent), in line with paragraph 71 of this Framework.

Environmental impact assessment: A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

Essential local workers: Public sector employees who provide frontline services in areas including health, education and community safety – such

as NHS staff, teachers, police, firefighters and military personnel, social care and childcare workers.

General aviation airfields: Licenced or unlicensed aerodromes with hard or grass runways, often with extensive areas of open land related to aviation activity.

Geodiversity: The range of rocks, minerals, fossils, soils and landforms.

Green infrastructure: A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Habitats site: Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.

Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

Heritage coast: Areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.

Historic environment: All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

Historic environment record: Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.

Housing Delivery Test: Measures net additional dwellings provided in a local authority area against the homes required, using national statistics and local authority data. The Secretary of State will publish the Housing Delivery Test results for each local authority in England every November.

International, national and locally designated sites of importance for biodiversity: All international sites (Special Areas of Conservation, Special Protection Areas, and Ramsar sites), national sites (Sites of Special

Scientific Interest) and locally designated sites including Local Wildlife Sites.

Irreplaceable habitat: Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.

Local Development Order: An Order made by a local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a specific development proposal or classes of development.

Local Enterprise Partnership: A body, designated by the Secretary of State for Housing, Communities and Local Government, established for the purpose of creating or improving the conditions for economic growth in an area.

Local housing need: The number of homes identified as being needed through the application of the standard method set out in national planning guidance (or, in the context of preparing strategic policies only, this may be calculated using a justified alternative approach as provided for in paragraph 60 of this Framework).

Local Nature Partnership: A body, designated by the Secretary of State for Environment, Food and Rural Affairs, established for the purpose of protecting and improving the natural environment in an area and the benefits derived from it.

Local planning authority: The public authority whose duty it is to carry out specific planning functions for a particular area. All references to local planning authority include the district council, London borough council, county council, Broads Authority, National Park Authority, the Mayor of London and a development corporation, to the extent appropriate to their responsibilities.

Local plan: A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two.

Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres,

indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

Major development: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Major hazard sites, installations and pipelines: Sites and infrastructure, including licensed explosive sites and nuclear installations, around which Health and Safety Executive (and Office for Nuclear Regulation) consultation distances to mitigate the consequences to public safety of major accidents may apply. Other than for the specific purposes of paragraphs 172 and 173 in this Framework.

Minerals resources of local and national importance: Minerals which are necessary to meet society's needs, including aggregates, brick clay (especially Etruria Marl and fireclay), silica sand (including high grade silica sands), cement raw materials, gypsum, salt, fluorspar, shallow and deep-mined coal, oil and gas (including conventional and unconventional hydrocarbons), tungsten, kaolin, ball clay, potash, polyhalite and local minerals of importance to heritage assets and local distinctiveness.

Mineral Safeguarding Area: An area designated by minerals planning authorities which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development.

National trails: Long distance routes for walking, cycling and horse riding.

Natural Flood Management: managing flood and coastal erosion risk by protecting, restoring and emulating the natural 'regulating' function of catchments, rivers, floodplains and coasts.

Nature Recovery Network: An expanding, increasingly connected, network of wildlife rich habitats supporting species recovery, alongside wider benefits such as carbon capture, water quality improvements, natural flood risk management and recreation. It includes the existing network of protected sites and other wildlife rich habitats as well as and landscape or catchment scale recovery areas where there is coordinated action for species and habitats.

Neighbourhood Development Order: An Order made by a local planning authority (under the Town and Country Planning Act 1990) through which parish councils and neighbourhood forums can grant planning permission for a specific development proposal or classes of development.

Neighbourhood plan: A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area. In law this is described as a neighbourhood development plan in the Planning and Compulsory Purchase Act 2004.

Non-strategic policies: Policies contained in a neighbourhood plan, or those policies in a local plan that are not strategic policies.

Older people: People over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

Open space: All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Original building: A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

Out of centre: A location which is not in or on the edge of a centre but not necessarily outside the urban area.

Out of town: A location out of centre that is outside the existing urban area.

Outstanding universal value: Cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations. An individual Statement of Outstanding Universal Value is agreed and adopted by the UNESCO World Heritage Committee for each World Heritage Site.

People with disabilities: People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.

Permission in principle: A form of planning consent which establishes that a site is suitable for a specified amount of housing-led development in principle. Following a grant of permission in principle, the site must receive a grant of technical details consent before development can proceed.

Planning condition: A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

Planning obligation: A legal agreement entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

Playing field: The whole of a site which encompasses at least one playing pitch as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

Primary shopping area: Defined area where retail development is concentrated.

Priority habitats and species: Species and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006.

Ramsar sites: Wetlands of international importance, designated under the 1971 Ramsar Convention.

Renewable and low carbon energy: Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and

also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

Rural exception sites: Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites 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. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Safeguarding zone: An area defined in Circular 01/03: Safeguarding aerodromes, technical sites and military explosives storage areas, to which specific safeguarding provisions apply.

Self-build and custom-build housing: Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.

Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.

Special Areas of Conservation: Areas defined by regulation 3 of the Conservation of Habitats and Species Regulations 2017 which have been given special protection as important conservation sites.

Special Protection Areas: Areas classified under regulation 15 of the Conservation of Habitats and Species Regulations 2017 which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds.

Site investigation information: Includes a risk assessment of land potentially affected by contamination, or ground stability and slope stability reports, as appropriate. All investigations of land potentially affected by contamination should be carried out in accordance with established procedures (such as BS10175 Investigation of Potentially Contaminated Sites – Code of Practice).

Site of Special Scientific Interest: Sites designated by Natural England under the Wildlife and Countryside Act 1981.

Spatial development strategy: A plan containing strategic policies prepared by a Mayor or a combined authority. It includes the London Plan (prepared under provisions in the Greater London Authority Act 1999) and plans prepared by combined authorities that have been given equivalent plan-making functions by an order made under the Local Democracy, Economic Development and Construction Act 2009 (as amended).

Stepping stones: Pockets of habitat that, while not necessarily connected, facilitate the movement of species across otherwise inhospitable landscapes.

Strategic environmental assessment: A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

Strategic policies: Policies and site allocations which address strategic priorities in line with the requirements of Section 19 (1B-E) of the Planning and Compulsory Purchase Act 2004.

Strategic policy-making authorities: Those authorities responsible for producing strategic policies (local planning authorities, and elected Mayors or combined authorities, where this power has been conferred). This definition applies whether the authority is in the process of producing strategic policies or not.

Supplementary planning documents: Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

Sustainable transport modes: Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking

and cycling, low and ultra low emission vehicles, car sharing and public transport.

Town centre: Area defined on the local authority's policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.

Transport assessment: A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies measures required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport, and measures that will be needed deal with the anticipated transport impacts of the development.

Transport statement: A simplified version of a transport assessment where it is agreed the transport issues arising from development proposals are limited and a full transport assessment is not required.

Travel plan: A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives and is regularly reviewed.

Wildlife corridor: Areas of habitat connecting wildlife populations.

Windfall sites: Sites not specifically identified in the development plan.