

Affordable Housing Development

Frequently asked questions (FAQs)



This document clarifies a number of issues relating to the way that the affordable housing policies in the North Somerset Replacement Local Plan are interpreted in practice by North Somerset Council.

The issues raised in this document are covered in the Affordable Housing Supplementary Planning Document.

All sites for new housing developments will trigger an affordable housing requirement if at least one of these conditions is met:

1. the site provides or is capable of providing 15 or more units
2. the site is of 0.5ha or above.

This is in accordance with policy H/4 of the Replacement Local Plan.

How much affordable housing is required?

Of the residential units provided on these sites, we have a target of 30% affordable housing provision. Generally, we expect the affordable housing to be provided on the same site - the Local Plan sets out circumstances where alternative provision may be accepted in lieu of this. The 30% calculation is applied to the **total** number of residential units proposed on the site.

When considering the affordable housing threshold do you use net or gross figures for the number of units?

We use net figures. For example, if a block of 12 flats is to be demolished and replaced with 15 houses, then no affordable housing requirement is required as the net dwelling capacity is three. Existing dwellings on the proposed site to be redeveloped or converted will always be taken into account when considering whether an affordable housing contribution is required.

When measuring the area to assess whether or not it is above the affordable housing threshold of 0.5ha, do you use the net or gross site areas?

We apply net site areas. The net site area only includes those areas that will be developed for housing and directly associated uses. This includes access roads within the site, private garden space, car parking areas, incidental open space and landscaping, and children's play areas where these are to be provided.

It therefore excludes major distributor roads, primary schools, open spaces serving a wider area, and significant landscape buffer strips.

The measurement of the net site area must include the whole site, and not be artificially reduced to remove, for example, landscaped areas, trees or access roads. This is defined in Planning Policy Guidance Note 3; Housing (PPG3) Annex C.

How do you estimate the capacity of the site?

Whilst it is recognised that the most appropriate capacity will vary depending on the type of development, its location and existing constraints, the overriding principle is that development will seek to make the most effective use of land by developing at a density which respects the setting of the site and the character of the surrounding area. Where proposals come forward for developments below the 15 unit threshold and / or just below the site size threshold, we will closely scrutinise the design, unit mix and site boundaries to ensure there is no deliberate attempt to avoid policy H/4.

When assessing whether or not a proposal will require affordable housing, it is important that a realistic capacity is identified. Early discussion with Development Management officers will ensure that an appropriate indicative capacity is identified at the outset.

What type and size of units are required?

Our Housing Development team will determine the required unit mix based on the nature of the development proposals and the identified housing need in the area. Affordable housing is allocated via HomeChoice, our Choice Based Lettings system.

How will the affordable housing units be distributed?

The nature and size of the proposed development will influence the distribution of the affordable housing units but in all cases we expect them to be seamlessly integrated throughout the development. To promote the creation of integrated and sustainable communities, affordable housing units will be spread throughout the development rather than concentrating them in one area, usually in clusters of no more than 6 units.

Affordable housing units will be identified as part of any detailed or reserved matters application. On phased developments at large or complex sites, an Affordable Housing Masterplan will identify the strategic distribution of affordable housing units before the submission of a reserved matters application or subsequent detailed applications. We acknowledge that this approach may not be appropriate where a development consists of apartments (flats) and therefore we may investigate different solutions to the distribution of the affordable housing.

What design requirements does the council expect?

In addition to our usual expectations of high standards in layout and urban design, all affordable housing units must fully comply with:

- NSC's Affordable housing scheme development standards
- Housing Corporation Scheme Development Standards
- Lifetime Homes - units built to meet the recommendations of the Joseph Rowntree Foundation for Lifetime Homes (exc flats above ground floor)
- Secure by design

Developers are expected to work with the identified housing association to meet the appropriate affordable housing design standards required.

Who will deliver the affordable housing units?

We have formally selected preferred housing association partners to deliver affordable housing priorities. The partners selected have demonstrated excellence in housing management, maintenance and development.

When does the council expect the affordable housing to be delivered?

The affordable housing should be built at the same time as the rest of the housing on site in line with agreed triggers. For example the affordable housing must be completed no later than the completion of 70% of all housing, or 'x' number of affordable homes will be built for every 'y' number of open market dwellings. These details will form part of the section 106 planning agreement and will be influenced by the size and nature of the development.

What receipt can the developer expect for the affordable homes?

The Affordable Housing Transfer Price represents the sum payable by the housing association to the developer for the units for rent and this is based on what can be supported by target rents, to assure affordability for the occupier. The units will be provided without the need for public subsidy from the council, Homes & Communities Agency or registered provider recycled grant. In the adopted Supplementary Planning Document, there is an appendix that sets out the framework for the Affordable Housing Transfer price.

For shared ownership units, 40% of the open market value is payable to the developer and will be sold to the shared owners at 40% of the open market value plus 1% rent charged on the unsold equity.

If the potential development area is larger than the site boundary, which area is used for the purposes of calculating the capacity of the area?

The artificial restriction of site areas to avoid the affordable housing thresholds is not acceptable, as proper planning of an area requires a comprehensive approach. Sites in the same ownership (or with an ownership relationship) will be treated as a single planning unit. Sites which have a clear

relationship in physical terms will be treated as one site – such as adjacent underused sites, even if they are in different ownerships.

What happens if subsequent changes mean that the site's original capacity is amended?

Where changes have been made to the capacity of the site, we will recalculate whether an affordable housing contribution should be made and at what level of contribution. This will apply not only where the number of dwellings is increased, but also where there has been a decrease. The revised capacity of the total site will be used as the basis for the affordable housing contribution, regardless of whether development has commenced.

Only where there is no capacity for units to be provided on site will a financial contribution be accepted in lieu of on site provision. There may be occasions where we would consider a financial contribution if there was capacity for additional units but this would be in exceptional circumstances only, e.g. they were in the wrong location, or more effective provision could be made elsewhere.

How are pre-application affordable housing discussions treated?

Information on potential affordable housing requirements is based on the best information available at the time and in some cases circumstances will change. In all cases the affordable housing contribution will be confirmed at the time the decision is made on the planning application.

Discussions about the section 106 requirements for affordable housing will be held with our Housing Development team. Meeting notes will be sent out by the Housing Development team or Development Management team to the developer/landowner within 10 working days of the meeting.

How are abnormal site costs taken into account?

Your affordable housing contribution depends not only on housing needs, but an assessment of the development as a whole, taking account of exceptional costs for developing the site. These must be over and above all standard development costs and could not have been reasonably foreseen when the land price was negotiated.

We will assume that anticipated unusual costs (such as known contamination) will be reflected in the land price. Applicants should contact us at an early stage if they believe such circumstances apply.

How are mixed use sites assessed?

The affordable housing element will be based on the net residential area of the site. Subsequent changes from other uses to residential will require the affordable housing requirement of the whole site to be recalculated.

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