

## Internal consultation response

### Internal Consultation response

**Site Location:** Land at Sodbury Road Wickwar

**Application Number:** P22/01300/O

**Consultation response from:** Tracey Price Strategic Housing Enabling

**Recommendation:** No objection subject to the following:

#### **Description of Site and Proposal**

- This application is for 180 homes on land outside the settlement boundary of Wickwar. Affordable housing is sought in line with National Planning Policy Guidance and other requirements under Policy CS18 of the Council's adopted Core Strategy Development Plan Document.
- From the 28 June 2021 local authorities are required to deliver First Homes as a proportion (25%) of their usual Affordable Housing delivery through their local plan policies. Certain exemptions apply including specialist housing, housing for older people, supported housing and developments which are Affordable Housing only, self-build and custom-built housing and Build to Rent.

#### **Comments:**

##### **Quantum**

35% of 180 dwellings generates a requirement of 63 Affordable Homes without public subsidy

To be provided on-site and distributed throughout the development in clusters of no more than 12 units on schemes more than 100 homes.

##### **Tenure and Type**

To meet identified housing need (Wider Bristol SHMA), and in regards to First Homes, the requirements to meet the needs of NPPF & NPPG, the following tenures shall be provided. And based on a requirement for 63 affordable homes the following numbers would be required:

- 71% Social Rent i.e 45 homes
- 25% First Homes i.e 16 homes
- 4% Shared Ownership i.e 2 homes

A range house types (Wider Bristol SHMA) is sought with regard Social Rent and Shared Ownership homes.

**Housetypes for First Homes will be dependent on the price cap. First Homes can be delivered at a higher discount in order to deliver housetypes that would exceed the price cap as set out below. The Council will seek an appropriate range of housetypes to meet identified need. All Affordable Housing housetypes will need to meet the requirements of PSP 37 with regards minimum size standards.**

### **Social Rent**

Percentage	Type	Min Size m <sup>2</sup>
22%	1 bed 2 person flats	50
16%	2 bed 4 person flats	70
29%	2 bed 4 person houses	79
29%	3 bed 5 person houses 2 storey	93
4%	4 bed 6 person houses 2 storey	106

### **Shared Ownership**

Percentage	Type	Min Size m <sup>2</sup>
16%	1 bed 2 person flats	50
17%	2 bed 4 person flats	70
34%	2 bed 4 person houses	79
33%	3 bed 5 person houses 2 storey	93
0%	4 bed 6 person houses 2 storey	106

### **Design**

Affordable Homes to be built to the same high quality design standards and visually indistinguishable from the market units and in addition, Part M of the Building Regulations accessibility standards M4(2), Secured by Design Silver, Part Q Building Regulation standards and compliance with the RP Design Brief (in respect of Social Rent and Shared Ownership);

- i. All rear gardens to be turfed and generally to have 1.8m high close boarded fencing to boundaries and privacy panels;
- ii. All properties to have vinyl/tiles on floor in all ground floor rooms;
- iii. Ceiling height tiling to 3 sides of bathroom to be provided;

- iv. Provide wall mounted shower (either electric or valve and kit);
- v. Provide gas and electric points to cooker space (where gas is available);
- vi. Painted softwood curtain battens to each window (where construction is traditional as opposed to timber frame)

No more than 6 Affordable Homes should share an entrance and communal area. Registered Providers would generally expect flats within a single block to be of the same tenure.

### **Wheelchair Provision**

8% of Affordable Homes to meet Part M of the Building Regulations accessibility standards M4(3)(2)(a).

### **Delivery and Phasing**

Affordable Homes (including First Homes) to be built out with the market housing on site in line with agreed triggers within the S.106 Agreement.

Where the development will proceed over more than one development phase, the location, amount, type and tenure of Affordable Housing of each phase will need to be set out in a site wide Affordable Housing Plan and Schedule. The Affordable Housing Plan and Schedule to be approved by the Council prior to submission of the first residential Reserved Matters application.

### **Social Rent & Shared Ownership:**

The Council to refer potential occupants to all first lettings and 75% of subsequent lettings.

Delivery is preferred through the Council's list of Approved Registered Providers. In the event of the developer choosing a Registered Provider from outside the partnership then the same development and management standards will need to be adhered to.

### **First Homes:**

First Homes will be marketed and sold by the Developer. The Developer will need to ensure First Homes are advertised with all relevant information to ensure eligibility criteria can be met for first sales and subsequent sales.

The Developer will select the potential purchaser(s), ensure a prior declaration is completed to confirm the potential purchaser is eligible and only pass one purchaser per plot/home to the Council for the eligibility check and authorisation.

The Council when it receives the completed application pack, will check criteria are met and issue Authority to Proceed and conveyancer pack. Once the Council then receives the conveyancer's legal undertaking that the transaction is compliant it will issue an Authority to Exchange.

The Developer will be responsible for paying all advertising and processing of potential purchasers' applications to the Council.

The Developer will pay the Council an appropriate fee for administration costs.

**First Homes eligibility:**

The purchaser(s) must meet the First Homes national eligibility criteria set out below:

- a) to be a first-time buyer, as defined by paragraph 6 of Schedule 6ZA of the Finance Act 2003.
- b) to have a household annual income of no more than £80,000, and
- c) should have a mortgage or home purchase plan to fund a minimum of 50% of the discounted purchase price.

In addition the Council will require all applicants and purchasers of First Homes to have a Local Connection to South Gloucestershire as set out in paragraph 2.1.1 of the HomeChoice Lettings Policy and Procedure, i.e.:

- d) Applicant lives in South Gloucestershire and has lived in the district for the last two years.
- e) Applicant's mother, father, brother, sister or adult child live in South Gloucestershire and have lived continuously in the area for the last five years.
- f) Applicant is permanently employed in South Gloucestershire, or who need to move to take up a definite offer of paid work, or an apprenticeship and who are unable to commute and:
  - Have signed or have an offer of a contract for a minimum period of 12 months and
  - Work more than 16 hours per week on average and
  - Are based in the district for the majority of that time for the purposes of carrying out their employment (at least 70%).

Any local eligibility criteria (local connection) will apply for a maximum of 3 months from when a home is first marketed. If a suitable buyer has not reserved a home after 3 months the eligibility criteria will revert to the national criteria.

If after 6 months of marketing, having taken all reasonable steps to sell the property (including where appropriate, reducing the asking price) the property fails to sell it should be expected that the seller compensates the Council for the loss of the Affordable Housing unit with a financial contribution. The financial contribution should be to the value of the discount the First Home was to be sold for as a percentage of the final sale price (or as much as possible of that value once the value of all lending against the property has been cleared) and net of any additional Stamp Duty liability incurred.

Resales of First Homes will be subject to the same discounts and eligibility criteria and will need to accord with the same marketing and compensation (in the event of no sale) processes as required on the initial sale by the Developer.

First Homes shall not be occupied by any person other than the respective owner / purchaser of them and any person or persons living with that owner as part of their family or with whom they would otherwise share a dwelling in circumstances where there is and is not intended to be any relationship of landlord and tenant. Arrangements and approvals for sub-letting will be set out in the S106 legal agreement.

### **Rent Levels and Affordability**

A First Home must be discounted by minimum of 30% against the market value; after the discount has been applied, the first sale must be at a price no higher than £250,000.

The First Homes discount will be provided by the developer.

The discount percentage will be applied to all future sales and will be secured in perpetuity through a S106 agreement as a planning obligation.

The price cap on First Homes applies to only the first sale and may be exceeded by future house price rises on subsequent sales.

Social Rent homes to be let at Formula Rent (Rent Standard Direction 2020).

Shared Ownership homes to be sold at no more than 40% of market value, and annual rent on the equity retained by the RP should be no more than 1.5%.

Service charges will be capped at £650 per annum (base date to be date of resolution and linked to CPI) to ensure that all housing costs are affordable to future occupants.

Capital receipts on intermediate housing to be recycled as capital expenditure on approved affordable housing schemes in South Gloucestershire, with subsidy levels to increase by any capital appreciation.

For further information see SPD and Appendices and First Homes Technical Advice Note

<https://beta.southglos.gov.uk/2633-affordable-housing-and-extra-care-housing-spd/>

and [First-Homes-TAN-Jan-22.pdf \(southglos.gov.uk\)](#)

### **Summary of comments and recommendation**

Affordable Housing is sought in line with National Planning Policy Guidance: Planning Obligations and other requirements under Policy CS18 of the Council's adopted Core Strategy Development Plan Document.

This application generates the following Affordable Housing requirement to be provided on site at nil public subsidy and in line with the comments set out above:

- 35% Affordable Housing (71% Social Rent, 25% First Homes and 4% Shared Ownership)
- 8% of Affordable Housing to be provided as Wheelchair accommodation (social rent tenure) and meet Part M of the Building Regulations accessibility standards M4(3)(2)(a).
- M4(2) & M4(3)(2)(a) Building Regulations accessibility standards will be subject to planning conditions.

Recommendation: **No Objection**

## **Recommended conditions with reasons & informative**

### **Outline Application**

35% Affordable Dwellings shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2).

8% Affordable Dwellings (social rented) shall be constructed to meet Part M of the Building Regulations accessibility standard M4(3)(2)(a).

### **M4(2) and M4(3) Reason**

To ensure inclusive design access for all in accordance with Policy PSP37 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan.

### **M4(2) and M4(3) Informative**

The person carrying out the building work must inform the building control body of the Planning Condition requiring M4(2) & M4(3)(2)(a) compliance as the building control body will be required to determine compliance with Part M of the Building Regulations accessibility standard M4(2) and/or M4(3)(2)(a)

## **Recommended S106 contributions with justification against the Cil tests.**

The affordable housing contribution will be sought through the Section 106 Agreement and is necessary for the proposed development to comply with the provisions of Policy CS18 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and in accordance with the National Policy for First Homes introduced in June 2021 and in particular will meet the CIL tests as set out below:

### **(a) Necessary to make the development acceptable in planning terms**

Policy CS18 sets out targets relating to affordable housing and the Strategic Housing Market Assessment sets out the level and type of housing needed in the District. National Policy identifies a requirement for First Homes to be provided through Planning Policy. An appropriate element of affordable housing is therefore required on the site to meet identified need in this area of the District and to ensure that the affordable housing is genuinely affordable to those who need it, both now and in the future. It is therefore necessary that affordable housing is provided to make the development acceptable in planning terms.

**(b) Directly related to the development**

The proposed development is a new housing development which is of a scale to trigger an affordable housing contribution under policy CS18 and meets the threshold set out in National Planning Policy Guidance: Planning Obligations. The affordable housing required will be constructed on site. Therefore, the obligation is directly related to the development.

**(c) Fairly and reasonably related in scale and kind to the development**

The development includes the provision of 180 no. residential dwellings. In line with the targets set out in Policy CS18, the Strategic Housing Market Assessment, and National Policy in regard to First Homes it is both fair and reasonable to seek 35% affordable housing which will provide a mix of house types to meet that identified affordable housing need. The level of affordable housing contribution therefore is considered fairly and reasonably related to the scale and kind to the development proposed.