

AFFORDABLE HOUSING SCHEME

Land off Waddington Road, Clitheroe, BB7 2DE

Application Reference: 3/2018/0181

This Affordable Housing Scheme (“AHS”) is submitted in accordance with the signed Section 106 Agreement (“S106”) dated 24th February 2015 and planning condition no. 22 of the outline consent (ref: 3/2014/0597) dated 6th March 2015, both require the submission of an Affordable Housing Scheme to secure the Affordable Housing provision. The S106 defines the AHS as:

“a scheme to be agreed with the Council setting out the detail of the size and type of affordable housing units, the number of bedrooms, and the location of the affordable housing units on the site.”

The information required as part of the S106 AHS is also included in Condition no. 22 which describes the AHS as:

“The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of National Planning Policy Framework or any future guidance that replace it. The scheme shall include:

- i. The numbers, type, size (including number of bedrooms), tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;*
- ii. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;*
- iii. The arrangements for the transfer of the affordable housing provider (or the management of the affordable housing if no RSL is involved); the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.*

Taking each part of the AHS requirements in turn we can confirm as follows:

- i. The numbers, type, size (including number of bedrooms), tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;***

The Affordable Housing Units are to be provided as defined within the S106 comprising of 30% of the residential units constructed on the Site (to include one half of the Older Persons Housing) of which 50% are to be Shared Ownership and 50% are to be affordable units for rent.

Based on the submitted 208no. unit Reserved Matters application, this equates to an affordable provision of 62no. units, whereby 31no. will be Shared Ownership and 31no. Affordable Rent.

- Shared Ownership is to comply with paragraph 2.32 of Schedule 2 of the S106 whereby a Registered Provider is to ensure the Shared Ownership Units are made available to an Approved Person 'where each Shared Ownership Unit is occupied by someone who is part renting and part purchasing the property and where the share initially purchased by each occupier shall not be less than thirty per cent of the interest in the Shared Ownership unit unless otherwise agreed in writing by the Council.'

The Shared Ownership units are to be sold to a Registered Provider.

- The affordable units for rent are to be provided as Affordable Rent and will be let to an Approved Person who meets the Qualifying Criteria in accordance with the Nomination Process as shall be appropriate for the site and subject to a rent which is accepted as affordable for the Borough by the Homes and Communities Agency provided that it does not exceed the Local Housing Allowance but which shall exclude any right which the lessee may otherwise have to acquire the freehold interest in the Rented Unit to which that rental agreement relates (as far as is legally possible to do so).

The Affordable Rent units will be sold to a Registered Provider on these terms

The Older Persons Housing is defined in the S106 to be dwellings suitable to accommodate older people comprising 15% of the total number of housing units

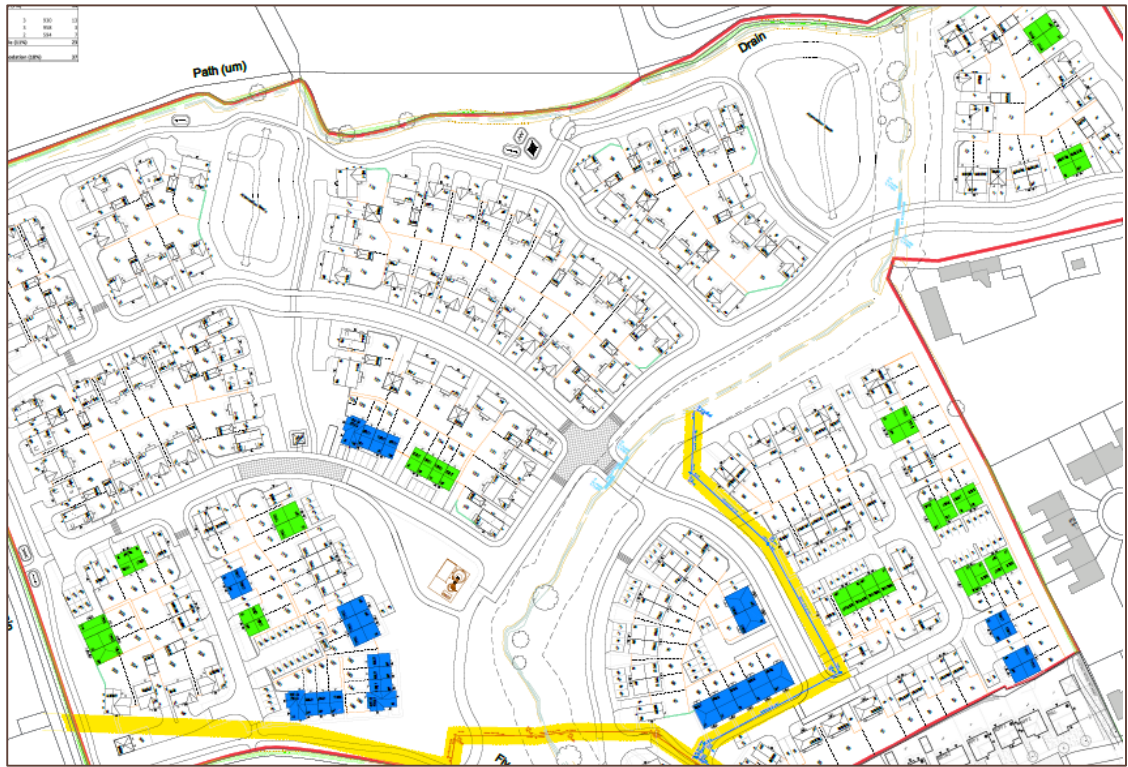
constructed on the site of which 50% will be Affordable Housing Units and 50% Market Housing Units.

Based on the 208no. dwellings included within the reserved matters application a total of 31no. units of Older Persons Housing are required. However, the applicant is willing to provide 37no. units as Older Persons Housing, which amounts to 18%. Of the 37no. Older Persons Housing units, 14no. will be provided as Open Market Units and 23no as Affordable Housing Units. The Older Persons Housing is being provided as 3-bed houses and 2-bed bungalows, highlighted within the table below.

Consequently, the affordable housing dwelling mix that has been included as part of the Reserved Matters planning application as detailed on planning drawing DWH063 Rev P9 includes:

Dwelling Type	Size (sqft)	Size (sqm)	Affordable Rent	Shared Ownership	Total
Type 55: 3-bed house	958	89.0	0	3	3
Type 52: 3-bed house	935	86.9	5	8	13
Bedale: 2-bed bungalow	594	55.2	7	0	7
Maidstone: 3-bed house	830	77.1	0	6	6
Kenley: 2-bed house	623	57.9	13	14	27
P237: 2-bed flat	643	59.7	3	0	3
N107: 1-bed flat	455	42.3	3	0	3
TOTAL			31	31	62

The location of the affordable dwellings is as shown on the submitted drawing DWH063 Rev P9, with the Affordable Rent coloured in blue and the Shared Ownership units coloured in green (extract shown below).



ii. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

The timing of the construction and the phasing of the Affordable Housing units will be provided as stated in Paragraph 3 of Schedule 2 of the S106, as follows:

- The first 33% of the affordable housing units to be completed before 21.5% of the Market units are occupied. This equates to 20no. affordable units being completed before 31no. of the Market Housing units are occupied.
- A further 33% of the affordable housing units to be completed before 43% of the Market Units are occupied. This equates to a further 20no. affordable units being completed before 63no. of the Market Housing units are occupied.
- The final 34% of the affordable housing units to be completed before 65% of the Market Units are occupied. This equates to the final 22no. affordable units being completed before 95no. of the Market Housing units are occupied.

It is anticipated that start on site will be made in mid-2019, with delivery over three years with practical completion of the affordable units anticipated by mid-2022, although this is subject to change.

- iii. The arrangements for the transfer of the affordable housing provider (or the management of the affordable housing if no RSL is involved); the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**

Registered Providers have been contacted to express an interest in the affordable housing units to be provided, and the applicant will enter into a contract to sell the affordable housing units to one of the Registered Providers.

In the event that the affordable housing units are not transferred to a Registered Provider upon the expiry of a period of one year from the Date of Practical Completion of the relevant phase of Market Housing Units, the S106 states providing that:

It is demonstrated to the reasonable satisfaction of the Council that the Owners has used reasonable endeavours to conclude such an agreement with an RSL; and

In relation to the Rented Units, the Owner shall undertake with the Council that the Owner will enter into Rental Agreements; and

In relation to the Shared Ownership Units, the following shall apply:-

- a) They shall be offered for sale to an Approved Person for a maximum of sixty percent of the Open Market Value as a Discounted Sale Unit;*
- b) Immediately upon service of the Notice the Owner and the Council shall consult together and attempt in good faith to agree the Open Market Value of the Shared Ownership Unit(s); and*
- c) If the Owner and the Council have not agreed the Open Market Value within five working days of the service of the Notice each party shall be entitled to refer the matter for determination by the Independent Valuer who shall act as an expert (and not as an arbitrator)*

The Affordable Units will be subject to the nominations and sales provisions as set out within Schedule 2 of the S106, which covers both first and subsequent occupiers.

The Nomination process is 'the process of nomination of an Approved Person in accordance with the Councils Allocation Policy'. An Approved Person will meet the qualification criteria described below:

The Qualifying criteria means priority in which an Applicant will be allocated a Rental Agreement of a Rented Unit being first in priority order;

- a) *Those currently living in the Borough for more than ten years*
- b) *Those currently living in the Borough and have done so continually for between five to ten years*
- c) *Those currently living in the Borough and have done so continually for a minimum of twelve months; or*
- d) *Those currently working in the Borough to which they have applied for accommodation;*
- e) *Those returning to the Borough; and finally*
- f) *Those who are able to justify a requirement for accommodation in the Borough.*

The chosen Registered Provider will liaise with the Council to ensure that a nominations agreement is entered into to secure the provisions across the site.