

# Affordable Housing

## Preface

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■	Chapters	
1	General Information	1
	Introduction	1
	Policy Background	2
	Definition of Affordable Housing	6
	Perpetuity	7
	When Does Affordable Housing Policy Apply?	7
	When Does Affordable Housing Policy Not Apply?	8
2	Affordable Housing Provision on Market Housing Sites	9
	Process for Applying Local Plan (2006) Policy H3 to a Market Site	9
	Calculation of Proportion of Affordable Dwellings On-Site	11
	Determining the Size, Type and Tenure Mix of Affordable Housing On-Site	12
	Design and Car Parking	14
	On-Site Provision of Affordable Housing Need	16
3	Rural Exception Affordable Housing Sites	18
	Determining Need	18
	Site Selection	19
	Funding	20
	Determining the Size, Type and Tenure Mix of Affordable Housing on Rural Exceptions Sites	21
	Design and Car Parking	22
■	Appendices	
1	Policy Background	i
2	Model Section 106 Agreement	iv
3	List of Preferred Registered Social Landlord Partners	xiii
4	Viability of Sites and Development Appraisals	xiv
5	Lifetime Homes Standard Design Criteria	xv
6	Roles of Agencies involved in Delivery of Rural Exceptions Affordable Homes	xvii
7	Programme for Parish Housing Needs Survey	xx
8	Model Parish Housing Needs Survey Questionnaire	xxi
9	Selection Process for RSL Partner for Rural Exception Schemes	xxvii
10	Rural Exceptions Housing - Local Connections Qualification Criteria	xxviii
11	Housing Corporation Design and Quality Standards (April 2007)	xxix
12	Glossary of Terms	xxx



# Chapter 1 General Information

## Introduction

**1.1** The cost of housing in Tunbridge Wells Borough is high and there is a severe shortfall in the availability of affordable housing that is accessible for a significant proportion of both existing, and newly forming, households. The Borough Council monitors this situation by means of regular local [Housing Needs Surveys](#) and seeks to address the problems through land use planning policy and its [Housing Strategy](#).

**1.2** This draft Supplementary Planning Document (SPD) is prepared to support Local Plan Policy H3 (Affordable Housing within Development Schemes) and Policy H8 (Affordable Housing for Local Needs Outside the Defined Limits to Built Development – more generally known as rural exceptions affordable housing). Both policies have been recently revised and updated in the [Tunbridge Wells Borough Local Plan](#) (adopted March 2006). Both policies are reproduced in full at Appendix 1.

**1.3** The SPD, once adopted, will form part of the Tunbridge Wells Borough Local Development Framework and as such will be a material consideration in the determination of planning applications.

**1.4** It is intended that the SPD will provide guidance and consistency in approach for all those involved in the delivery of new affordable housing through the planning system and will explain in more detail how the Borough Council intends to operate the policies relating to affordable housing provision. The areas covered include:

- Advice on the process leading up to submission of a planning application for housing, for both general market schemes and the rural exceptions schemes
- The percentage of affordable housing sought in general market housing schemes
- The preferred affordable housing dwelling mix (by size, type and tenure)
- Design and energy efficiency considerations
- A model set of 'heads of terms' of a Section 106 Planning Obligation to help speed up the process of negotiating the legal agreement for market sites

**1.5** A model set of 'heads of terms' of a Section 106 Planning Obligation is attached to this SPD at Appendix 2. Landowners and developers should also be aware that development contributions may be sought for other site-related matters and community infrastructure, which is covered by other policy and supplementary guidance. This provides a basic template for any future legal agreements securing affordable housing. It will need to be tailored to individual site circumstances, but should assist applicants and developers to draft legal agreements at an early stage of the development process and thus speed up the process. The model legal agreement may change over time and applicants should always check with the Borough Council that they have the most up to date version available.

**1.6** Whilst it is intended that this SPD should provide as much information for Parish Councils, applicants and developers as possible, potential applicants are advised to contact the Borough Council to discuss their proposals at as early a stage as possible.

## Policy Background

### National Planning Policy

**1.7** National planning policy guidance on the provision of housing, including affordable housing, is set out in [Planning Policy Statement 3: Housing](#) (November 2006) (PPS3) and the companion paper [Delivering Affordable Housing](#) (November 2006). This policy guidance replaces the former national policy which formed the context for the preparation of the [Tunbridge Wells Borough Local Plan \(2006\)](#). However, the Local Plan provides an adopted policy for achieving affordable housing on market sites and a policy for rural exceptions affordable housing. This Supplementary Planning Document provides additional guidance on how Local Plan Policy will be implemented, particularly in the light of this new national guidance.

**1.8** The key housing policy goal of PPS3 is to ensure that everyone has the opportunity of living in a decent home which they can afford, in a community where they want to live. In respect of affordability this will include measures:

- to achieve a wide range of high quality homes, both affordable and market housing, to address the requirements of the community
- to widen opportunities for home ownership and to ensure high quality housing is provided for those who cannot afford market housing

**1.9** In respect of affordable housing, PPS3 (paragraph 27) states: *“The Government is committed to providing high quality housing for people who are unable to access or afford market housing, for example vulnerable people and key workers as well as helping people make the step from social rented housing to home ownership.”*

**1.10** PPS3 requires local planning authorities to undertake Strategic Housing Market Assessments to assess the nature and level of housing demand in their local housing market and what this means in terms of the broad balance of provision between market and affordable housing. Local Development Documents are required to:

- Set a plan-wide target for the amount of affordable housing to be provided
- Set separate targets for social rented and intermediate affordable housing
- Specify the size and type of affordable housing
- Set out the range of circumstances in which affordable housing will be required
- Set out the approach to seeking developer contributions to facilitate the provision of affordable housing

**1.11** Local Development Framework policy will eventually be underpinned by a Strategic Housing Market Assessment, in accordance with the new guidance (Strategic Housing Market Assessments, March 2007 and Housing Market Indicators, May 2007). This Supplementary Planning Document and its 'parent' Local Plan policies, plus the [Tunbridge Wells Borough Housing Strategy](#), form the context for delivering affordable housing in the Borough in the interim. This SPD can support existing adopted policy in respect of specifying the size and type of affordable housing that will be sought; explaining further the circumstances in which affordable housing will be required; and setting out the approach to seeking developer contributions towards the provision of affordable housing.

**1.12** Currently, affordable housing policy for Tunbridge Wells Borough consists of the Tunbridge Wells Borough [Local Plan \(2006\)](#) policy and the [Tunbridge Wells Borough Housing Strategy 2006-2011](#). Both have been informed by a local [Housing Needs Survey](#) (most recently updated in 2005). It is therefore the purpose of this SPD to set out in more detail how the Borough Council intends to implement adopted Local Plan policy.

## Regional Policy

**1.13** [Regional Planning Guidance for the South East \(RPG 9\)](#) (2001) states, in Policy H4, that a range of dwelling types and sizes should be provided, including different forms of tenure, in order to meet the needs of all sectors of the community. Affordable housing should be provided to meet locally assessed need.

**1.14** The emerging South East Regional Spatial Strategy (RSS): [draft South East Plan](#) (2006) has a general Policy H4 which states that Local Development Documents will set targets for the provision of affordable housing, having taken account of local need assessments and the overall regional target that 25% of all new housing in the region should be social rented and 10% should be other forms of affordable housing (i.e. 35% of the total should be affordable). Where justified by the local housing needs assessment, Local Development Documents should specify the tenure of the housing being sought. There is also a presumption in favour of on-site affordable housing provision. This policy also supports the promotion of rural exception schemes.

## Structure Plan Policy

**1.15** Until the South East RSS is adopted, the [Kent and Medway Structure Plan \(2006\)](#) remains the strategic policy context for the Tunbridge Wells Borough Local Development Framework and part of the development plan for the Borough. Policy HP7 states that the provision for housing in Local Plans and Local Development Documents and development proposals should secure a mix of dwelling sizes and types that will contribute to meeting the identified needs of all sections of the community and should include provision for sheltered housing; supported housing; and Lifetime Housing.

**1.16** Policy HP9 states that Local Development Documents should indicate rural settlements at which the provision of affordable housing would be acceptable on non-allocated sites to meet a proven local need.

## Tunbridge Wells Borough Local Plan (2006)

**1.17** The [Tunbridge Wells Borough Local Plan](#) was adopted in March 2006. Policy H3 deals with affordable housing within development schemes and has a target of 30% affordable housing on sites capable of providing 15 or more dwellings. Policy H8 is an enabling policy for rural exceptions affordable housing. There are no sites currently allocated for rural exceptions housing. Both policies are reproduced in full at Appendix 1 to this SPD. The Local Plan forms part of the Tunbridge Wells Local Development Framework (LDF) and, as such, all the policies within it are automatically saved for three years after the adoption date (i.e. to March 2009). Policies may be saved beyond this date, but it is expected that they will be gradually superseded and replaced as new Development Plan Documents are adopted.

**1.18** This SPD, when adopted, will also form part of the LDF and supports Policies H3 and H8 and details the way in which they will be interpreted and applied to residential development schemes.

**1.19** The Borough Council, as the local planning authority, must determine planning applications in accordance with the statutory development plan, unless material considerations indicate otherwise.

## Tunbridge Wells Borough Sustainable Community Plan (2006)

**1.20** The [Tunbridge Wells Borough Sustainable Community Plan](#) sets out the broad vision for the Borough and it is for the Local Development Framework to allocate land, or set out land use policy, where necessary, to assist in meeting that vision. One of the key themes of the Sustainable Community Plan is to meet the housing needs of local people of all ages. Specifically this entails:

- providing affordable homes (including social rented, low cost home ownership and housing for key workers)
- supporting independence for all vulnerable people, including older people, younger people, and those with disabilities
- preventing homelessness
- promoting safe, sustainable communities

**1.21** The Local Plan policies and this SPD are therefore the main means by which this Sustainable Community Plan theme will be implemented in the immediate future.

## Tunbridge Wells Borough Housing Strategy 2006-11

**1.22** The Borough Council adopted its [Housing Strategy](#) in February 2007 and addresses wider issues on housing throughout the Borough and different ways of addressing them, in addition to what can be achieved through the planning system.

**1.23** The provision of affordable homes to meet the identified needs in the Borough is the top priority. Based on the findings of the local [Housing Needs Survey 2005](#), it works with Local Plan policy to deliver the most appropriate size and type of homes to meet identified local needs and sets a target of 500 new affordable homes over the period 2006-2011.

**1.24** The [Housing Strategy](#) also implements a five-year rolling programme of rural housing needs surveys in all of the parishes in the Borough, which will work to complement Policy H8 of the [Local Plan 2006](#). A target has been set to deliver 100 rural affordable homes by 2011.

**1.25** The Housing Strategy also looks to this SPD to highlight ways of securing affordable housing through the planning system in the absence of grant funding.

## Contingency for Policy Change

**1.26** This SPD has been prepared to help deal with an important corporate priority for the Borough Council. It is based on adopted Local Plan policy and reflects the most up to date local [Housing Needs Survey](#) (carried out in 2005). The changes to national planning policy, recent changes to the way in which public subsidy is allocated to affordable housing schemes, and the local needs assessment itself, suggests that Local Plan Policy H3 may need to be the subject of further review in the forthcoming LDF Core Strategy. In the event of the adopted Local Plan Policy and this SPD becoming incompatible with emerging LDF policy (based on a more up to date Strategic Housing Market Assessment), the latter will be afforded as much weight as appropriate for its stage in the plan-making process and the number and nature of comments it may have attracted.



## Local Housing Needs Assessment

**1.27** The cost of housing in, and adjacent to, Tunbridge Wells Borough is high and there is a severe shortfall in the availability of affordable housing. This not only impinges on the ability of local people to buy or rent a home in the Borough, but also impacts on local businesses and public services, as recruitment and retention of key staff become more difficult.

**1.28** At March 2007 the Borough Council's Housing Register contained more than 1,466 households in need of accommodation, including over 48 homeless households in temporary accommodation provided by the Borough Council.

**1.29** Government guidance on housing and planning strongly recommends that local authorities undertake Strategic Housing Market Assessments and guidance has been issued on how market areas should be identified and the assessments undertaken (Strategic Housing Market Assessments March 2007; Identifying Sub-regional Housing Market Areas March 2007; plus further interim guidance in Housing Market Information May 2007 - the latter enables individual local authorities to progress their new LDF policy work until such times as the housing market areas are confirmed and the SHMAs can be put in place). The Tunbridge Wells Borough Council Housing Needs Survey (2000), provided the justification for the inclusion of Policy H3 and Policy H8 in the Local Plan Review. It indicated that a total of 1,847 additional affordable dwellings would be required in the Borough between 2000 and 2005.

**1.30** A new [Housing Needs Survey](#) and balancing housing markets report was undertaken in 2005 (by consultants David Coultie Associates) and indicates an annual need for affordable housing of 406 units per annum after allowing for re-lets in the existing stock. This is 140% of the overall strategic housing requirement of 290 units per annum for the Borough ([Kent and Medway Structure Plan](#) 2006).

**1.31** The [Housing Needs Survey](#) (2005) (HNS) therefore recommends that it would be justifiable to seek up to 40% affordable housing on suitable sites and that this should be incorporated into policy in the Local Development Framework as soon as possible. In the interim, the Borough Council is advised to continue to negotiate with developers to achieve 30% affordable housing on sites capable of providing 15 or more dwellings in accordance with Local Plan Policy H3.

**1.32** The HNS (2005) further advises that, within the overall target of 30%, approximately 25% of the affordable housing should be social rented and 5% should be shared ownership or other tenure types, provided it is delivered at a cost below the cheapest entry level costs in the general market and can be maintained as such for subsequent purchasers. Therefore, the Borough Council will only allow shared ownership housing where it can be demonstrated by an RSL that it will be affordable, e.g. by restricting the initial equity share and the level of rent payable on the unsold equity. The HNS (2005) has therefore been used as the most up to date evidence available to inform this SPD on the tenure and type of affordable housing that may be negotiated within the 30% achieved on sites which trigger the threshold of Policy H3 of the Local Plan.

**1.33** The HNS (2005) also gives a broad assessment of the need for affordable housing by geographical sub-area of the Borough. These results will be used to target more detailed local parish needs surveys, which may in turn be used to justify the release of rural exceptions sites through Policy H8 of the Local Plan (see Chapter 3 of this SPD).

## Definition of Affordable Housing

**1.34** Affordable housing is defined in the footnotes to Policy H3 of the [Tunbridge Wells Borough Local Plan \(2006\)](#) as “*low cost market or subsidised housing, irrespective of tenure, ownership or financial arrangement.*” This definition has been superseded to a degree by the definitions now prescribed in [Planning Policy Statement 3 Annex B \(2006\) and Delivering Affordable Housing \(2006\)](#).

**1.35** The national policy guidance now defines affordable housing as housing which should:

*“- Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices.*

*- Include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.”*

Moreover, at para 68, PPS3 (2006) states that “when making planning decisions for housing developments after 1 April 2007, Local Planning Authorities should have regard to the policies in this statement as material considerations which may supersede the policies in existing development plans.” The following paragraphs therefore take account of the new national definition of affordable housing as it applies to Tunbridge Wells Borough.

**1.36** Within this overall definition, the following types of housing are considered to be affordable:

### Social Rented

**1.37** Rented housing that can be managed by local authorities or Registered Social Landlords, provided it meets national guidelines for target rents; or rented housing owned and/or managed by the private sector which has equivalent rental arrangements agreed with the local authority or the Housing Corporation.

### Intermediate Housing

**1.38** Housing at prices and rents above those of social rent, but below those of market price or rents and that meet the affordability criteria set out in Policy H3 of the [Local Plan 2006](#). This can include shared equity and other low cost homes for sale and intermediate rent.

**1.39** Whilst the [Housing Needs Survey \(2005\)](#) data identifies needs for different types and tenures of affordable housing across the Borough and provides a general target for affordable housing, the definition used in the [Local Plan \(2006\)](#) enables the Borough Council to apply its judgement as to the suitability of individual sites for affordable housing and leaves some flexibility in negotiating the percentages of types to be achieved. It is possible that some intermediate housing may help some households in housing need. However, within the local housing market, current conditions are such that social rented housing is the only form which is likely to meet the needs of those on the housing register and some 70% of those identified as requiring affordable housing by the Housing Needs Survey.

**1.40** 'Low cost market housing', provided without subsidy and which does not meet the criteria defining 'affordable' at Annex B of PPS3 (2006), is not accepted by either PPS3 or this SPD within the definition of affordable housing. Typically, this is likely to be small units or starter homes that are provided to meet the needs of households just able to access the housing market. A household able to buy the cheapest new unit is not included in the local assessment of affordable housing need, because they could afford market re-sales accommodation. Low

cost market housing without subsidy does not therefore meet affordable needs within the Borough and would not be acceptable as part of a negotiated quota of affordable housing on any particular site.

## Perpetuity

**1.41** It is important that additional affordable housing units provided through planning agreements (and any other means) are retained within the affordable housing stock for the long term, regardless of tenure. To ensure the delivery and long term occupation of affordable housing, it will be preferable for a specialist organisation, such as a RSL or Trust, to be involved in the ownership and management of the dwellings to be provided. The Borough Council requires these arrangements to be formalised through the use of a legal agreement (See Appendix 2). This is subject to 100% 'stair-casing' in shared ownership schemes, and under the Right to Acquire mechanisms (except in rural areas – see paragraph 1.42), although the Borough Council will seek to ensure that agreements are in place to enable the affordable housing provider to buy back the unit for affordable housing should the owner move on.

**1.42** Within rural areas, specific safeguards exist to ensure that both shared ownership and social rented properties remain as affordable in perpetuity. In the case of social rented properties on rural exception sites in settlements of 3,000 or less people, tenants are not eligible for the Right to Acquire or Social Homebuy. These are schemes which enable tenants to purchase equity shares in their homes (both are explained in the Glossary at Appendix 11). Where shared ownership property is on a rural exception site or a small settlement of less than 3,000 people, re-purchase can take place through internal funding by the RSL, or with funding which may be available from the Housing Corporation. The Borough Council will support shared ownership on rural exception sites where there is an identified need, but the stair-casing is restricted to 80%.

## When Does Affordable Housing Policy Apply?

### General Market Residential Developments

**1.43** The Borough Council will apply Local Plan Policy H3 (see Appendix 1) to proposals for residential development on sites capable of taking 15 or more dwellings. On such sites, 30% of the total dwellings proposed will be sought as affordable units.

**1.44** The Policy will also apply to mixed use sites that provide 15 or more dwellings. Live/work units are considered to be residential for the purpose of determining whether Policy H3 should apply to a site.

**1.45** The Borough Council will also apply Policy H3 where:

- i. the development site would be capable of delivering more housing than the scheme proposed, which would then be above the Policy H3 threshold
- ii. where a site is likely to form part of a larger development which is phased to take place over a period of time; or the site is subsequently increased in size; or additional dwellings are proposed in a piecemeal manner such that, cumulatively, the development in its totality would exceed the Policy H3 site size threshold

**1.46** The Borough Council will assess the overall dwelling capacity of a site for the purposes of Policy H3 by having regard to site location and sustainability; its character and context; constraint related to the built or natural environment; and the design and amenity issues set out in Policy EN1 of the [Local Plan 2006](#).

**1.47** Development proposals will also need to have regard to the advice in [Planning Policy Statement 3: Housing](#) and the [draft South East Plan](#) (Policy H5) in respect of minimum densities and making the best possible use of previously developed land, particularly that which is within reasonable proximity to local services and public transport. However, it is unlikely, for example, that a proposal for redevelopment of a single dwelling on a substantial site in an isolated rural position would be considered suitable for affordable housing provision. Conversely, a modest site which is located within, or abutting, an existing built up area and is capable of taking higher density development, would be likely to be deemed suitable to be brought within the remit of Policy H3. Further advice on design and layout issues is included at paragraphs 2.31-2.34.

### **Sheltered Housing for Older Persons**

**1.48** The [Housing Needs Survey \(2005\)](#) and demographic projections for the next 10-20 years show a general ageing of the Borough's population and a sharp increase in the numbers of both those of retirement age (60+ years) and the very elderly (85+ years). Within these age groups, a significant amount of need for affordable specialist housing has been demonstrated. Policy H3 will therefore also apply to development schemes for specialist housing (which is self-contained and still falling within Use Class C3) for the elderly, which triggers the site size threshold. Paragraphs 2.23-2.26 deal with this type of housing.

### **Rural Exceptions Affordable Housing**

**1.49** The [Housing Needs Survey \(2005\)](#) has demonstrated that over 50% of affordable housing need in the Borough is in the rural areas (including the small rural towns of Paddock Wood, Cranbrook and Hawkhurst). However, the broad findings of the Housing Needs Survey will need to be refined through detailed parish needs assessments to justify release of sites for affordable housing to meet local needs in any specific parish.

**1.50** Where a local need has been confirmed through such a survey, Policy H8 of the [Local Plan \(2006\)](#) can be used to facilitate release of small sites outside the existing Limits to Built Development of a small rural town or village to meet the specified local need. Such sites would not normally be released for general market or speculative housing.

**1.51** Further details on the rural exceptions process are set out in Chapter 3 of this SPD.

### **When Does Affordable Housing Policy Not Apply?**

**1.52** Residential care homes and nursing homes for the elderly, where the accommodation is not self contained, falls within Use Class C2 (residential institutions including children's homes and rehabilitation units) and are not therefore subject to either Policy H3 or H8.

**1.53** Hostels (classified as sui generis use) are also not required to provide additional affordable housing.

## Chapter 2 Affordable Housing Provision on Market Housing Sites

### Process for Applying Local Plan (2006) Policy H3 to a Market Site

#### Pre-Application Discussions

**2.1** The Borough Council encourages developers to make early contact with its Planning and Housing officers to discuss the provision of affordable housing on a prospective development site, based on the provisions of Policy H3 and this SPD. Pre-application discussions are advisable, particularly for large or complex sites and where other development contributions are likely to be sought.

**2.2** Applicants should be aware that information is likely to be required on the following matters, to be agreed with Council officers at pre-application discussions and which may need to be worked up through correspondence or subsequent meetings as the scheme is progressed:

- The proportion of homes in the development to be affordable and the precise number of affordable units which this will equate to
- The split between social rented and intermediate provision
- For each form of tenure (social rented and intermediate), the size of units to be provided (in terms of numbers of bedrooms)
- For each form of tenure, the number of disabled access (wheelchair and mobility standard) units to be provided
- The cost to the occupier of the proposed affordable units, including realistic and affordable service charges, where relevant
- The mechanism for ensuring affordability, for example via RSL management
- Compliance with Housing Corporation Scheme Development Standards; Lifetime Home Standards prevailing at the time; and the Code for Sustainable Homes
- The mechanism for ensuring adequate management of the properties
- The proposed location of the affordable units within the site
- The form of any proposed legal (Section 106) agreements

#### Legal Agreements

**2.3** On sites where Policy H3 applies, the Borough Council will seek to secure the provision of affordable housing in perpetuity through a legal agreement (under Section 106 of the Town and Country Planning Act 1990) signed by the relevant parties prior to the granting of planning permission. A standard set of heads of terms for Section 106 Agreements is set out at Appendix 2 of this SPD, but developers should be aware that the basic model may need to be updated over time and that these can be modified to meet the circumstances of a specific site.

**2.4** Developers should also be aware that benefits may be sought via planning obligations in order to comply with other Local Plan policies (for example, for school places and recreation open space - there is relevant SPD advice on [Recreation Open Space](#) (July 2006)); and for relevant transport schemes detailed in the [Local Plan 2006](#) and the [Tunbridge Wells Borough Transport Strategy](#) (2003). The Kent County Council 'Guide to Development Contributions and the Provision of Community Infrastructure' (see [www.kent.gov.uk](http://www.kent.gov.uk)) may also provide guidance on social infrastructure which may be necessary for some sites. The cost of meeting the requirements of this SPD and other necessary development contributions should be taken into account when acquiring an option or purchasing a development site.

## Subsidies

**2.5** Policy H3 places an obligation on the landowner and/or developer of a site to consider how the requirement to provide an element of affordable housing on eligible sites in accordance with this SPD may affect development proposals under consideration, prior to the sale or acquisition of a site. This can be achieved through a reduction in the land value.

**2.6** Whilst it is possible that some public subsidy may be available through Housing Corporation grant, (subject to RSLs<sup>(1)</sup> or other affordable housing provider making robust bids in line with Housing Corporation priorities), public funding is finite and there is therefore no guarantee that there will be any such subsidy for affordable housing delivered through the planning system. Indeed, current policy set out in the Housing Corporation [National Affordable Housing Programme 2006-2008](#) states that the preference is for affordable housing on Section 106 sites to be delivered without grant input from the Corporation, wherever possible. For grant to be considered at all, early involvement of the Corporation in negotiations is essential and it will need to be demonstrated that the site would deliver more affordable homes, or a different mix, than would be possible without grant. The Housing Corporation assesses bids for funding on a competitive basis and usually based on a pipeline of identified schemes covering the next 5-7 years. This may assist with sites that have been identified early and/or allocated for housing via the Local Plan or Local Development Framework, but is not useful for the situation prevailing in Tunbridge Wells Borough, with much of the housing land supply coming from fairly small, previously unidentified sites.

**2.7** In the absence of Social Housing Grant from the Housing Corporation, the Borough Council would expect developers to not only provide land for affordable housing, but also to provide sufficient funding to RSLs to 'bridge the gap' between:

- The costs of delivering affordable housing on the site concerned; less
- The amount of finance that the RSL can reasonably raise (via loans/charge/mortgage, etc in respect of the particular affordable housing development)

**2.8** The Borough Council is unlikely to be in a position to subsidise the provision of affordable housing by other means.

**2.9** The Borough Council is, however, willing to consider other initiatives such as Private Finance Initiatives; local land trusts; or privately owned and managed affordable housing stock, provided it can be demonstrated that homes will remain affordable and that other design and construction standards will be met.

**2.10** In summary, neither the Housing Corporation nor the Borough Council is required to subsidise affordable housing delivered through the planning system via use of Social Housing Grant (which is delivered in accordance with Regional Housing Strategy criteria). However, non-availability of grant does not justify a relaxation of the application of Policy H3, or support a non-viability argument. It is the responsibility of the developer to assess the likely availability of grant through early discussion with the Borough Council and RSLs and the consequences for the development scheme in terms of the number and tenure of affordable housing to be provided. To assist with clarity in negotiations and to support applications for grant funding, a cascade matrix may be a useful tool for achieving agreement on these matters and providing a reliable contingency.

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1 It is the Borough Council's general practice to work with the eight preferred partner RSLs, in order to maximise the opportunity to achieve grant funding and provision of affordable housing to best meet identified local needs. However, wherever RSL is used in this SPD, it should also be taken to mean RSL or any other affordable housing provider, who can satisfactorily meet policy requirements.

## Involvement of Registered Social Landlords (RSL)

**2.11** Involving an RSL early in the planning process will generally enable the applicant to plan more effectively the provision of affordable housing in conjunction with the market element of the site. The involvement of an RSL also offers two other important safeguards. Firstly, RSLs are obliged to have publicly available policies and procedures for allocating properties, which should be open and fair and based on housing need. Secondly, should disposal of RSL assets become necessary, it will take place under Housing Corporation arrangements.

**2.12** The Borough Council currently has a list of seven RSL preferred partners (see Appendix 3: the Borough Council is due to reselect its RSL partners for 2007-2010 jointly with Sevenoaks District Council by the end of June 2007 and this will be reflected in the final version of this SPD), who have been selected for their commitment to enabling the development of affordable housing required in Tunbridge Wells Borough to best meet the needs of local people. In order to achieve this, the Borough Council's Housing Services have established a system of recording all potential sites and appraising development options and then confirming a site's registration to one of the preferred partners, having taken into account the following matters:

- Considering whether an RSL already has property in the neighbourhood of any new scheme
- Whether there are any sites in the vicinity that would make it more practical for both sites to be assembled and progressed together
- Whether another RSL would be better placed to manage the finished units
- Whether the RSL has a good track record of developing and managing the type of units proposed
- Whether the site would lend itself to supported housing and therefore be better developed by a specialist provider

**2.13** The Borough Council will expect an applicant to provide the affordable housing for an RSL nominated by the Council to ensure the dwellings are well suited for local needs and conditions, but will take the developers' wishes into account. The Borough Council will strive to respect strategic relationships between developers and RSLs subject to the workload capacity of the RSL. The price paid for social rented housing by the RSL will depend on the income stream forecast. Due to the limited amount of Social Housing Grant, it is unlikely that funding will be available (see paragraph 2.6 above).

**2.14** Applicants who wish to provide the affordable housing via an alternative route (for example via Housing Corporation funding direct to a developer) will need to satisfy the Borough Council that local needs will be best served by this approach.

## Calculation of Proportion of Affordable Dwellings On-Site

**2.15** Policy H3 of the [Local Plan \(2006\)](#) seeks to secure affordable housing on sites capable of taking 15 or more dwellings and 30% of these should be affordable. The affordable housing should be calculated in relation to gross, rather than net, development, i.e. based on the total number of units proposed in the final development.

**2.16** Policy H3 will also apply to the residential element of a mixed use scheme where the former is 15 or more dwellings. Should the original permission for a mixed use scheme be superseded or amended and a revision increases the element of residential use (which may result in the affordable housing threshold being triggered), then this will result in reassessment of the requirement for affordable housing on the site.

## Viability of Sites and Development Appraisals

**2.17** In exceptional cases, where a development proposal would not meet the affordable housing requirements set out in this SPD (for example, through exceptional and unforeseen site-specific reasons), the Borough Council will require a development appraisal to justify such a departure. This may involve specialist valuation advice provided by a professional with expertise in the field of residential development. Any such appraisal would be subject to professional scrutiny by the Borough Council and/or an independent third party with relevant expertise. Appendix 4 sets out the basic minimum information that the Borough Council would expect if this situation arose.

## Determining the Size, Type and Tenure Mix of Affordable Housing On-Site

**2.18** This section gives guidance on what types of affordable housing are to be provided on site in terms of tenure (social rented and shared ownership) and dwelling size and type. Negotiations will be informed both by the Housing Needs Survey and by the current Housing Register.

### Tenure

**2.19** The [Housing Needs Survey \(2005\)](#) notes that, in view of the scale of affordable housing need in the Borough and the income profile of those in housing need relative to house prices, seeking 100% of affordable housing as social rented housing would be justifiable. This would best meet those in highest priority need on the Housing Register. There are, however, some households who may be able to afford intermediate housing. Currently, Policy H3 of the adopted [Local Plan \(2006\)](#) enables the Borough Council to seek 30% affordable housing on eligible sites and forms the policy context for this SPD. Applying the split recommended by the Housing Needs Survey between tenure types (75% social rented and 25% ownership) means that 25% of the total housing on eligible sites will be sought as social rented and 5% as intermediate. For example, on a site of 15 dwellings gross, five dwellings would be affordable, of which four would be sought as social rented and one as intermediate housing.

**2.20** However, the Housing Needs Survey has recommended that the Borough Council should work towards a LDF policy seeking 40% affordable housing on eligible sites, of which 30% should be social rented and 10% should be intermediate to best meet the local needs identified through the Study. In the interim, the Borough Council will be open to discussions for affordable housing of 30-40% of the total if site circumstances lend themselves to achieving a higher total.

### Dwelling Mix

**2.21** Table 1 below sets out the latest information on the required borough-wide mix of affordable housing in terms of size, for both social rented and shared ownership accommodation. These needs may change over time, although trends change fairly slowly. It is also recognised that not all of the households identified as being in need of affordable housing have necessarily registered themselves on the Housing Register. Consequently, the figures for both the [Housing Needs Survey \(2005\)](#) and the Housing Register at February 2007 are given and both will be used to inform the negotiations on a specific site. The Housing Register information will be updated on an annual basis (at April each year) and will be available on the Borough Council's website.



Tenure Type and Size	Data Source	
	HNS (2005)	Housing Register (March 2007)
<b>Social Rented Provision</b>		
1 bedroom unit	26%	875 households
2 bedroom unit	25%	354 households
3 bedroom unit	48%	166 households
4+ bedroom unit	data not available separately	71 households
<b>Shared Ownership Provision</b>		
1 bedroom unit	22%	112 households
2 bedroom unit	53%	69 households
3 bedroom unit	26%	32 households
4+ bedroom unit	data not available separately	9 households

Table 1 Affordable Dwelling Size Need

Source: Tunbridge Wells [Housing Needs Survey \(2005\)](#), Appendix 1 and Tunbridge Wells Borough Housing Waiting List

## Type of Housing Unit

**2.22** Table 1 illustrates that the majority of affordable housing need in both social rented and intermediate categories is for small units (one- and two-bedroom accommodation). Although the majority of affordable housing need identified through the [Housing Needs Survey \(2005\)](#) and the Housing Register is for smaller households (just under two thirds of those on the Housing Register require one-bedroom accommodation), there is still a need for four+ bedroom family housing in the social rented sector. The need for larger units is likely to be best met through houses rather than flats. The Borough Council will seek to meet this need within development schemes which lend themselves to the provision of units suitable for family housing. However, the precise mix of type and size of unit (for example, whether it is houses or flats) will depend to a significant degree on the location and nature of the residential scheme that is being proposed, but negotiations will be informed by both the most up to date Housing Needs Survey and Housing Register data. Early discussion with the Borough Council is advised, as the mix may well influence the design and layout of the scheme. Further advice on design is contained in the section Design and Car Parking below.

## Older Persons' Housing

**2.23** The [Housing Needs Survey \(2005\)](#) has identified a need for some 130 social rented affordable sheltered units per annum, in addition to the general affordable housing need. Housing Register data confirms that the majority of those requiring sheltered accommodation would not be able to afford shared ownership. Approximately 55 sheltered units per annum are available as re-lets from existing stock, leaving a residual need of 75 new sheltered units per annum. The Borough Council will therefore seek 30% affordable housing in specialist older persons' sheltered accommodation schemes and will seek a similar mix of social rented and shared ownership tenures as for general affordable housing, unless data from the Housing Register indicates otherwise.

**2.24** The logistics of how the affordable units for older persons would be provided would be the subject of discussions between the Borough Council, the developer and an RSL to ensure that issues such as the use and financing of communal facilities in specialist schemes are effectively managed. The Borough Council believes that a degree of separation can be achieved between the affordable rented and open market housing within a development, to enable integration, whilst achieving an equitable and sustainable distribution of ongoing charges. These are matters that should be addressed at the earliest design stages of a scheme.

**2.25** The [Housing Needs Survey \(2005\)](#) has also identified a need of 84 affordable extra care units per annum (in addition to the main affordable need). There is currently no RSL-managed stock of this type in the Borough. It is not proposed to seek provision of this type of accommodation as affordable units at this time, although this situation will be kept under review.

**2.26** Where specialist complexes for older persons are proposed with varying levels of care, the requirement for affordable housing will be triggered when there are 15 or more Use Class C3 dwellings (i.e. self-contained units) on the site overall, regardless of any institutional (Use Class C2) provision within the site.

### Key Worker Housing

**2.27** The [Housing Needs Survey \(2005\)](#) has also identified that there are a significant number of key workers (based on the Department for Communities and Local Government's definition of police; teachers; healthcare; fire and social services) within the Borough. It is acknowledged that those key workers who are in need of affordable housing are counted within the general need for affordable housing and do not receive special priority on the Housing Register for social rented accommodation.

**2.28** However, alternatives are available to assist key workers. From April 2006, the Government's Homebuy Scheme has been available to assist people into intermediate housing, including new build RSL shared ownership schemes within Section 106 sites. Eligibility is wider than for social rented and includes those who are current and prospective social rented tenants; key workers and first time buyers. In addition, key workers are eligible for the Government's Key Worker Living subsidy in South East England, although this is limited.

**2.29** In addition, the [West Kent Local Strategic Partnership](#) has developed models for subsidy-free ways of affordable housing for a wider range of key workers within West Kent, working with local employers. However, it is dependent on suitable site availability.

**2.30** It is therefore possible that key worker affordable housing needs may either be met through the negotiated intermediate affordable housing on eligible sites, or can be accommodated through other applications of available schemes.

### Design and Car Parking

**2.31** [Planning Policy Statement 1](#) (PPS1): Delivering Sustainable Development (2004) states at paragraph 35: "*high quality and inclusive design should create well-mixed and integrated developments which avoid segregation and have well planned public spaces that bring people together...*".

**2.32** The Borough Council believes that all development should be subject to high design standards. Affordable housing will be subject to the same design and environmental protections and enhancement policies as market housing. All built development proposals are required to satisfy the criteria of Policy EN1 in the [Local Plan \(2006\)](#), which deals with basic principles for

respecting the immediate context of the site. This Policy is reproduced at Appendix 1 for convenience. However, developers should also refer to the [Local Plan \(2006\)](#) to establish whether their proposal site is covered by any other area-specific environmental protection policy.

**2.33** Affordable housing should be well integrated within the development. In the case of flatted developments (where management and service charging arrangements are a practical consideration), it will normally be preferable for the affordable units to be clustered together. Integration, together with the application of good design principles and use of good quality materials, build quality and landscaping, should mean that the affordable housing should not be visually distinguishable from the market housing.

**2.34** Designing in the appropriate size, type, tenure, location and design of the affordable units within a scheme should be a matter for pre-application discussion with the Borough Council to avoid abortive efforts in producing plans that are unlikely to meet these requirements and to facilitate a successful scheme.

### Energy Efficiency

**2.35** The Housing Corporation currently requires that any scheme that it funds should meet the [Code for Sustainable Homes Level 3](#) Standard. As a matter of good sustainable construction practice and, in accordance with Policy EN1 (3) of the [Local Plan \(2006\)](#), the Borough Council expects that all affordable housing built in the Borough should meet at least this standard, or whatever the Housing Corporation is applying at the time of planning application. The Borough Council will also expect compliance with its own Supplementary Planning Document [Renewable Energy \(March 2007\)](#).

### Scheme Development Standards

**2.36** [Scheme Development Standards](#) are the Housing Corporation's standards for housing design and the Borough Council expects that the prevailing set of standards will be met. Six key areas are currently covered, including external environment; internal environment; accessibility; safety and security; energy efficiency; environmental sustainability; noise abatement; and maintainability, durability and adaptability. These are compatible with the Borough Council's own Local Plan design and amenity Policy EN1 and the supplementary advice in the [Kent Design Guide \(2005/06\)](#) on these matters.

### Design and Quality Strategy (from April 2008)

**2.37** From April 2008, schemes receiving Housing Corporation subsidy (from the forthcoming 2008-2011 National Affordable Housing Programme) will be required to meet, or exceed, the Housing Corporation Design Quality Standards (published April 2007 at [www.housingcorp.gov.uk](http://www.housingcorp.gov.uk)). The performance measures which indicate compliance are set out at Appendix 11.

### Lifetime Homes Standards

**2.38** The [Lifetime Homes Standards](#) are based on 16 design criteria and seek to ensure that new homes can be provided that are adaptable, flexible, convenient and appropriate to changing needs. The Standards go beyond [Part M of the Building Regulations](#) and in respect of accessibility are equivalent to, or exceed, Housing Corporation [Scheme Development Standards](#). The design criteria are set out at Appendix 5. Planning applications should illustrate, on the plans and in the accompanying access statement, to what extent the 16 criteria have been satisfied in the proposed development and, for those criteria which have not been satisfied, reasons why this is so.

## Wheelchair and Mobility Standard Housing

**2.39** The [Housing Needs Survey \(2005\)](#) indicates that there is a mismatch between properties adapted for disabled occupants and where disabled people actually live. Although homes built to [Lifetime Homes Standards](#) are capable of adaptation to meet the needs of older and/or disabled residents, many wheelchair users require additional adaptations and higher space standards. The Housing Corporation's [Scheme Development Standards](#) also cross reference housing that provides access for user groups and visitors with limited mobility; and housing that has full accessibility and ease of manoeuvrability for use by wheelchair users. The provision and location of disabled access units within the affordable housing provision will therefore be an issue for discussion at pre-application stage and will depend on the suitability of the development scheme and the current level of need on the Housing Register and the Housing Needs Survey data.

## Accessibility and the Public Realm

**2.40** Accessibility to roads and footways within a development, and the spaces between buildings, is as important as making the buildings themselves accessible. There is general advice in the [Kent Design Guide \(2005/06\)](#) on these matters, but additional consideration for disabled access may be relevant, depending on the scheme. The latter is a requirement of Policy EN1(7) of the the Tunbridge Wells Borough [Local Plan \(2006\)](#).

**2.41** Access to, and between, buildings in a development can be improved by the installation of dropped kerbs and tactile paving, the removal of obstacles on the footway, the installation of seats along routes for people to use to rest, the provision of signs and other orientation tools or features. Care should also be taken in positioning front doors and other entrances to dwellings, so that residents have safe, short, accessible routes to local transport provision.

## Car Parking

**2.42** Car parking standards for new development are set out in the [Local Plan \(2006\)](#). Policy TP5 applies the latest Kent County Council [Vehicle Parking Standards](#) to all residential development schemes (market and affordable alike), with the exception of Tunbridge Wells Central Access Zone (which has a maximum of one car parking space per dwelling, as explained by Policy TP6 of the [Local Plan 2006](#)). The latest Kent County Council [Vehicle Parking Standards](#) have been adopted as a Supplementary Planning Document to the [Kent and Medway Structure Plan 2006](#). These arrangements may change, as the Structure Plan is likely to be superseded by the South East Plan during 2008 and any subsequent national policy advice on the issue. Any such changes to vehicle parking standards will apply to all types of development and further advice will be made available as necessary.

## On-Site Provision of Affordable Housing Need

**2.43** [Planning Policy Statement 3](#) states, at paragraph 29, that, in seeking developer contributions, the presumption is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing.

**2.44** In view of the high level of local housing need in the Borough, the objectives of achieving a reasonable mix and balance of housing types and tenures in new residential development, and the fact that there is a shortage of development sites suitable for affordable housing provision, means that on-site provision will be of paramount importance.

**2.45** The on-site provision of affordable housing will normally be via the means of completed dwellings that will be made available to an RSL who is able and willing to acquire and manage the affordable housing.

**2.46** The Borough Council's activities to deliver affordable housing do not include the purchase of sites or building affordable homes, or purchasing homes on the open market to make available at affordable prices. Consequently, the Borough Council will not accept commuted payments in lieu of on-site provision of affordable housing.

## Chapter 3 Rural Exception Affordable Housing Sites

### Determining Need

**3.1** Tunbridge Wells Borough Council recognises the need to preserve rural communities and enable local people on modest incomes to remain in, or move back to, the local community in which they already live or work, or with which they have strong local connections. This assists the local economy and sustains village services to the benefit of all members of the local community. The importance of maintaining social networks whereby families and friends support each other is also vital in maintaining the sustainability of rural communities.

**3.2** The communities in the Western part of the Borough are, for the most part, surrounded by Green Belt land and, in addition, much of the Borough is designated as an Area of Outstanding Natural Beauty. The Borough Council therefore acknowledges the need to balance the preservation of local communities with the protection of the environment.

**3.3** The Borough Council has identified as a key priority its role in trying to meet the need for affordable housing in the rural areas. Although there is limited scope for new affordable housing to be built in the rural areas, the Borough Council, through the [Local Plan 2006](#) (Policy H8: see Appendix 1 to this document), has the ability to consider releasing small sites for affordable housing development (known as rural exception sites) where general market housing would not normally be permitted. Any housing provided on these sites is available for local people and will only be allowed if there is a proven need for additional affordable housing arising from the parish.

**3.4** The Borough [Housing Needs Survey \(2005\)](#) is the starting point for identifying rural housing needs. This has identified an affordable housing requirement of 406 dwellings per annum, of which some 42% is located in the small rural towns and villages in the Borough. This rises to 50% if Pembury is included in the total. Although this gives a general picture of affordable housing need by area, the supply side for each parish may vary. The local Parish Councils also have a crucial role to play in alerting the Borough Council to the specific needs of their parishioners and will often be aware of the need for more affordable housing in their Parish. They have a further role to play throughout the whole process of survey, including liaison with the local community, site identification and contribution to working up a suitable scheme. The role and involvement of the Borough Council, the Parish Councils, Action for Communities in Rural Kent and RSLs in a successful scheme is summarised at Appendix 6 to this document.

**3.5** In order to respond to the housing needs of residents in the rural areas, the Borough Council recognises the requirement to regularly monitor and identify housing needs through a continuous assessment programme, to meet the housing objectives of the [Sustainable Community Plan](#) and the commitment in the [Housing Strategy](#). The Borough Council is therefore committed to ensuring that rural needs surveys are carried out in all thirteen parishes on a cyclical five-year rolling programme. This will coincide with the borough-wide Housing Needs Survey, which is carried out every five years and gives an approximate indication of the level of need in rural areas.

**3.6** A programme has been established to determine the anticipated order and time-scale of when needs surveys will be carried out in each parish (see Appendix 7 to this document). Priority consideration is given to those parishes identified in the borough-wide [Housing Needs Survey \(2005\)](#) as having the greatest housing need. A model parish housing needs questionnaire is attached at Appendix 8.

**3.7** The parish needs surveys are currently carried out by the charity organisation [Action with Communities in Rural Kent](#) (ACRK), with the agreement of the Parish concerned. This will continue, as the organisation has a wealth of experience in carrying out needs surveys and can offer support and independent advice to Parish Councils and are able to act independently to facilitate agreement amongst all relevant parties.

**3.8** The parish housing needs questionnaire ensures that it provides the necessary information required to justify an exception needs housing scheme in terms of the current Local Plan Policies.

**3.9** Once the Housing Needs Survey and relevant correspondence is prepared, it will then be distributed to all households in the Parish. The survey questionnaire will also be available to the families of parishioners who have left the village due to a lack of affordable housing, or for employment or other reasons, and now wish to return. All surveys will include a pre-paid envelope to encourage a maximum return.

**3.10** The completed surveys are sent to [Action with Communities in Rural Kent](#) for analysis and the results will be presented to both the Borough Council and the Parish Council. This analysis gives an indication of the level of housing need, if any, and the size and type of accommodation that is required to meet that need. It will form part of any subsequent planning application.

### Site Selection

**3.11** Where the results of a parish needs survey demonstrate a need for affordable housing, work will then start on developing a proposal for a housing scheme to meet the need. A site for the scheme will need to be selected. A shortlist of sites may be drawn up from Borough Council resources and local knowledge, but the Borough Council may then engage consultants to assist with detailed appraisal. The Parish Council will be invited to contribute to the site selection process, thereby taking advantage of their local knowledge. All possible sites will be reviewed in light of the survey results and their suitability in terms of meeting the level of housing need and satisfying other requirements, such as planning, drainage and highways.

**3.12** Rural exceptions sites are, by definition, outside the Limits to Built Development defined in the [Local Plan \(2006\)](#) and the principal issue for site selection is whether the site is acceptable in planning terms and meets the criteria of Policy H8 of the Local Plan and any site-specific Local Plan policies that may apply to sites under consideration. As much of the Borough is subject to Green Belt and national landscape designations, the site location, and its impact on its surroundings, are important issues.

**3.13** Particular importance is also given to sustainability issues, including the location of a site in relation to the existing settlement and local services; the scale of the development proposed; the impact on the character of the surrounding development, landscape and countryside; as well as other normal planning criteria (in particular, those covered by Policy EN1 of the [Local Plan 2006](#)). Sites should be well related to the Limits to Built Development of the settlement in question and will not be permitted in isolated countryside locations, as this would be contrary to national, strategic and local planning policies that seek to control sporadic development in the countryside; and for sustainability reasons, including access to local services and reducing the need to travel. Key criteria to be taken into account include:

- Contiguity of the site with the Limits to Built Development of the settlement, as defined in the Tunbridge Wells Borough [Local Plan \(2006\)](#)
- The site should be within walking distance of key local facilities, such as school and shops
- The site should have footway links to local facilities, or be located where those links can readily be provided

- The site should be able to provide good vehicular access, without significant visibility problems
- The site should have access to the widest range of public utilities available to the local community
- The site should be capable of being developed cost effectively
- Physical attributes of the site, such as topography and landscape impact, need to be assessed
- The planning history of the site itself, plus the type and nature of any adjoining development needs to be taken into account

**3.14** In some instances it might be more appropriate to develop a number of smaller sites rather than a single site. This could make site acquisition easier and could be more acceptable in environmental terms than a single, large development.

**3.15** If no sites are readily available, it is possible to use the Local Development Framework process to allocate sites specifically for this purpose. In a situation of extreme need and no sites forthcoming, the Borough Council would consider the use of compulsory acquisition powers.

## Funding

**3.16** In consultation with the Parish Council, an RSL (Housing Association) will be selected to develop and manage the scheme (see Appendix 9 of this SPD for the selection process from the Borough Council's preferred RSL partners). The RSL will then draw up a draft proposal with plans for the site, which will be initially discussed with the Borough Council and the Parish Council. The draft proposal will then be the subject of a consultation event led by the RSL and attended by officers of the Borough Council and local Parish Members. Residents of the parish will be able to view and comment on the plans and obtain information on the application process for the proposed development. The proposals will then be reviewed and may be amended in light of the consultation exercise. The planning application process will also provide a further opportunity for the Parish Council and local residents to express their views on the proposals.

**3.17** The RSL will then make funding and planning applications to take the scheme forward. Funding applications are generally through the Housing Corporation, which has limited funding available for affordable housing developments. Funding is allocated on a regional basis through the [South East Regional Housing Board](#) (RHB) and is distributed in accordance with the priorities of the RHB as specified in the [South East Regional Housing Strategy](#). Currently, the Strategy has a target to deliver a minimum of 720 new homes in small rural communities (with a population of under 3,000 and which are mentioned in the rural gazetteer). There is also support for rural market towns that provide employment, key services and facilities. The Regional Housing Strategy is currently under review and a new Strategy for the period 2008 onwards is likely to be published in summer 2007.

**3.18** Bidding rounds for funding are currently held every two years; the last bidding round took place in November 2005 and funding was allocated for the financial years 2006/07 and 2007/08. Where funding is awarded, it is subject to strict time limits and may be withdrawn at any time if time-scales are not adhered to. Early identification of sites in the process is therefore critical in ensuring a successful project.

**3.19** To ensure that the housing remains available for its original purpose to future occupiers, planning permission will be subject to a Section 106 Agreement between the Borough Council, developers and RSL.



**3.20** Once planning consent has been received and any necessary funding is in place, the RSL can plan and implement a development schedule and start building the new homes. At this stage, a further public event will then be held to promote the scheme, provide information regarding qualifying criteria and encourage registration on the Housing Register.

**3.21** The Local Education Authority has indicated that development contributions in respect of rural exceptions housing may be waived in circumstances where it can be demonstrated that the housing need is arising from concealed local households, which are already using the local services.

### **Determining the Size, Type and Tenure Mix of Affordable Housing on Rural Exceptions Sites**

**3.22** The proposed affordable housing should be of a size, type and cost directly appropriate and affordable for those people which the parish needs survey identifies. The borough-wide [Housing Needs Survey \(2005\)](#) suggests that some 68% of the affordable housing need in the small rural towns and villages in the Borough is for social rented accommodation and that the remainder might be met by intermediate housing. The parish needs survey will indicate the appropriate proportion of social rented and shared ownership needs and provide data on whether the shared ownership is realistic, given local incomes. Paragraph 1.42 above explains that there is a limit on the proportion of equity a tenant may aspire to in rural exceptions housing.

**3.23** The Housing Needs Survey suggests that over half of the affordable housing need in the rural areas is for one- and two-bedroom accommodation, although over 40% is for three+ bedroom family accommodation. The precise needs for each parish, along with any specialist needs, such as for the elderly or disabled, will need to be drawn out by means of the detailed parish needs survey and then matching those to existing supply in the parish and those on the Housing Register who meet the local qualification. The priority to be afforded key workers depends on their ability to meet the local qualification requirements described below.

**3.24** In order to meet the local qualification criteria of Policy H8 of the [Local Plan \(2006\)](#) and thereby be considered for rural exception needs housing, a local resident must be in housing need that cannot otherwise be met locally at affordable cost and must satisfy one or more of the local connection criteria, which are set out at Appendix 10 of this SPD.

**3.25** To be considered for housing on a rural exception site, local residents must be registered on the Tunbridge Wells Housing Register. They will be required to complete a local connection form detailing their connection with the Parish and will be required to provide supporting documentary proof.

**3.26** The Borough Council will ensure that all properties on rural exception sites are allocated in accordance with Section 106 Planning Agreements reflecting Local Plan Policy H8.

**3.27** All nominations for housing on rural exception sites will normally be made by the Borough Council from the Housing Register. In selecting a shortlist of applicants for vacancies, the Borough Council will, in the first instance, take into consideration only those that satisfy the qualifying connection criteria and have provided documentary evidence to this effect. This can be provided in one of three ways: by confirmation from the Parish Council; by supplying relevant addresses; or by providing a letter from their employer. Applicants will then be placed in order of highest housing need, as determined by the Housing Register points system.

**3.28** The Borough Council has the discretion to enable a RSL to nominate an existing tenant from its own Transfer List to a vacancy on a rural exception site. This discretion can only be exercised where the tenant satisfies the qualifying criteria (Appendix 10) and has a genuine

housing need issue on social, physical or medical grounds that cannot reasonably be met by existing non-exceptions need affordable housing in the parish. This will be done on the condition that the resulting vacancy will be available to an applicant on the Housing Register. Where the resulting vacancy is within the local parish area, where possible this will be made available to an applicant who satisfies the qualifying local connection criteria.

**3.29** As part of the closer liaison between the Borough Council and Parish Council partners, applicants will be asked to give their consent to the Borough Council advising the Parish Council that they have been offered accommodation on a rural needs housing scheme. Once the nominations have been made and accepted by the Housing Association, the Borough Council will provide the Parish Council with a list of prospective tenants, who have given their consent to this process.

**3.30** To ensure that homes are always occupied, rural exceptions housing should comply with [Lifetime Homes Standards](#) to ensure that tenants can continue to occupy their homes as their needs change over time and that the housing stock itself is flexible enough to meet the needs of a wide range of local people, should vacancies occur. In addition, the Local Planning Authority has adopted a cascade approach to influencing nominations. In the unlikely event that there is nobody in the Parish with the requisite local connection to nominate to a vacancy, the vacancy will be offered in the first instance to a qualifying applicant on the Housing Register from a neighbouring Parish. If the neighbouring Parishes do not produce a qualifying applicant, then the vacancy can be offered to anyone on the Housing Register, as set out in the Section 106 Agreement accompanying the planning permission for the development.

**3.31** The RSL will not be permitted to allow any person having acquired a right to buy any property, or any interest in property under the Housing Act 1985 or otherwise, to reside in, or occupy, any of the affordable housing units. RSLs will also be expected to take all appropriate measures to exclude the right to exchange from tenancy agreements issued in respect of new rural exceptions housing.

### Design and Car Parking

**3.32** As noted in Chapter 2, the Borough Council expects all development proposals to meet the criteria of Policy EN1 of the [Local Plan \(2006\)](#) to achieve a high standard of development. However, as the rural exceptions policy permits new housing in rural locations where development would not normally be permitted, it is essential that careful consideration is given to the scale and character of the proposed affordable housing. Government guidance in [Planning Policy Statement 3](#) (Housing) emphasises the aim to deliver high quality housing. The [Kent Design Guide](#) and Policies EN23, EN24 and EN25 of the [Local Plan \(2006\)](#) emphasise that it is of great importance to achieve good quality design that is in keeping with its surroundings, particularly in terms of layout, landscaping and materials.

**3.33** The scale of the development proposed under Policy H8 should be appropriate in relation to the size of the settlement and its services.

**3.34** Rural exceptions affordable schemes will also be expected to comply with the [Renewable Energy SPD](#); [Lifetime Homes Standards](#); the [Code for Sustainable Homes Level 3](#); accessibility standards; and the Kent County Council [Vehicle Parking Standards](#) outlined in Chapter 2.

## Appendix 1 Policy Background

### Policy H 3

In respect of proposals for residential development or mixed-use schemes where the site is capable of accommodating 15 or more dwellings, the Local Planning Authority will negotiate with the developer to secure the provision of a reasonable proportion of affordable housing \*(1) and \*(2). 30% of the total number of dwellings to be provided within the development will be sought for affordable housing unless any of the matters set out below justify a lower proportion:

1. Local needs, based on up-to-date assessments;
2. The proximity of local services and facilities to the development and the level of its accessibility to public transport;
3. The development costs of the particular development and whether any exceptional circumstances in this regard have been demonstrated to exist; and
4. The need to realise any other priority planning objectives in the development of the site.

Except where a registered social landlord is involved, the Local Planning Authority will impose conditions and/or seek to enter into an agreement to control the initial and subsequent occupancy of the dwellings to ensure that the accommodation remains available in future to meet the purposes for which it is permitted.

Note:

\*(1) “Affordable housing” means low-cost market or subsidised housing, irrespective of tenure, ownership or financial arrangements.

\*(2) The definition of affordability for the Plan area is flexible to allow for variation in the market, economic conditions and mortgage lender practice as follows:

The price of rented accommodation should not be more than 25% net average household income for the Plan area; and

The price of owner-occupied accommodation should not exceed the current mortgage lender multiple x average net household income for the Plan area minus current Plan area average house price (less 5% deposit).

## Policy H 8

1. **Where no alternative site is available to meet local housing needs within the Limits to Built Development, as defined on the Proposals Map, the Local Planning Authority will permit residential development outside the Limits to Built Development provided all of the following criteria are satisfied:**
  - a. **The site would be well related in scale and location to the village or town and its services;**
  - b. **The local needs exist within categories identified in (4) below and are documented in a comprehensive appraisal of the parish or town;**
  - c. **The local needs would not otherwise be met;**
  - d. **The development would be of a suitable size and character in terms of layout, materials and landscaping in relation to the village or town; and**
  - e. **The development does not contain any speculative or general demand housing;**
2. **The Local Planning Authority will not grant planning permission for housing justified on the grounds of local needs, unless the initial and subsequent occupancy of such developments is controlled through planning agreements or conditions or Registered Social Landlords, to ensure that the accommodation remains available in the future to meet the purposes for which it is permitted;**
3. **A financial appraisal of the scheme, providing that it will meet the defined needs, shall accompany any planning application; and**
4. **In assessing local needs, regard will be had to households or persons in households, otherwise unable to gain access at affordable cost <sup>\*(1)</sup> to existing local accommodation suited to their needs and who fall into one or more of the following categories:**
  - i. **Those in the parish or town currently in accommodation unsuited to their circumstances through physical, medical or social reasons, and which is incapable of being improved or rendered suitable <sup>\*(2)</sup> at reasonable cost, and who can demonstrate continuous residence in the parish or town for the previous three years, or residence for a total of at least five years out of the previous 10;**
  - ii. **Those who formerly have been members of households which comply with the residential qualifications in (i) above and who have recognised local connections <sup>\*(3)</sup>; and**
  - iii. **Those in permanent, full time employment in the parish or town or who will be taking up permanent full time employment there, or who provide an important service requiring them to live locally <sup>\*(4)</sup>.**

### Notes:

**<sup>\*(1)</sup> The definition of affordability for the Plan area is flexible to allow for variation on the market, economic conditions and mortgage lender practice as follows:**

**The price of rented accommodation should not be more than 25% net average household income for the Plan area; and**

The price of owner-occupied accommodation should not exceed the current mortgage lender multiple x average net household income for the Plan area minus current Plan area average house price (less 5% deposit).

**\*(2) Improvement in this context means that this would not otherwise be achieved with grant assistance towards repairs, adaptations to the property for disabled people, etc.**

**\*(3) Local connections, as used in this context, are defined as continuous residence for a period of five years out of the last 10, or immediate family having lived in the area for a minimum of 10 years.**

**\*(4) This category may include the instance where an employer is setting up a new business or service. In this sub-paragraph the term “parish” may be taken to include adjoining parishes where those parishes are unable to satisfy their own needs. The intention is to assist those in long-term and lasting employment, rather than those in temporary, short-term or seasonal employment.**

## Policy EN 1

All proposals for development within the Plan area will be required to satisfy all of the following criteria:

1. The nature and intensity of the proposed use would be compatible with neighbouring uses and would not cause significant harm to the amenities or character of the area in terms of noise, vibration, smell, safety or health impacts, or excessive traffic generation;
2. The proposal would not cause significant harm to the residential amenities of adjoining occupiers, and would provide adequate residential amenities for future occupiers of the development, when assessed in terms of daylight, sunlight and privacy;
3. The design of the proposal, encompassing scale, layout and orientation of buildings, site coverage by buildings, external appearance, roofscape, materials and landscaping, would respect the context of the site and take account of the efficient use of energy;
4. The proposal would not result in the loss of significant buildings, related spaces, trees, shrubs, hedges, or other features important to the character of the built up area or landscape;
5. There would be no significant adverse effect on any features of nature conservation importance which could not be prevented by conditions or agreements;
6. The design, layout and landscaping of all development should take account of the security of people and property and incorporate measures to reduce or eliminate crime; and
7. The design of public spaces and pedestrian routes to all new development proposals should provide safe and easy access for people with disabilities and people with particular access requirements.

## Appendix 2 Model Section 106 Agreement

DATED \_\_\_\_\_ 200

**TUNBRIDGE WELLS BOROUGH COUNCIL**

– and –

– and –

### **PLANNING OBLIGATION AGREEMENT**

Relating to

Tunbridge Wells  
Kent

L Howell  
Head of Legal HR and Democratic Services  
Town Hall  
Royal Tunbridge Wells  
Kent TN1 1RS

**THIS AGREEMENT** is made the \_\_\_\_\_ day of \_\_\_\_\_ 200

**BETWEEN:-**

1. **TUNBRIDGE WELLS BOROUGH COUNCIL** of Town Hall Royal Tunbridge Wells Kent TN1 1RS (“the Council”)
2. (Company Number: ) whose registered office is at \_\_\_\_\_ (“the Owner”), and
3. (Company Number: ) of \_\_\_\_\_ (“the Mortgagee”)

**WHEREAS**

1. The Council is the local planning authority for the purposes of the Act for the area within which the Site is situated.
2. The Owner is the freehold owner of the Site.
3. The Owner has submitted the Application to the Council.
4. Having regard to the provisions of the Local Plan and to all other material considerations the Council resolved on to grant the Planning Permission subject to the prior completion of this Agreement
5. The Mortgagee is the mortgagee under a legal charge of the Site dated \_\_\_\_\_

**NOW IT IS HEREBY AGREED**

**1. DEFINITIONS AND INTERPRETATION**

**Definitions**

In this Agreement unless the context otherwise requires the following expressions shall have the following meanings: -

“the Act”	the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991
“the Application”	the application for planning permission dated submitted to the Council for the Development and allocated reference number TW/0
“Commencement”	the date on which a material operation comprised in the Development is taken to be initiated within the meaning of section 56 (4)(a) to (d) of the Act PROVIDED ALWAYS that for the purpose of determining whether or not such a material operation has been carried out there shall be disregarded any works of demolition, site inspection, site surveys, testing, sampling, site clearance, soil investigations and trial holes and the expressions “Commence”, “Commencement” and “Commenced” shall be construed accordingly
“the Development”	the Development of the Site with as set out in the Application

“the Educational Sum”	the sum of £ ( pounds) of which £ ( pounds) is payable in respect of primary education and £ ( pounds) is payable in respect of secondary education
“Index”	All Items Index of Retail Prices issued by the Office for National Statistics
“Interest”	interest at 1 per cent above the base lending rate of the Council’s main bank at the time when the sums become due
“the Plan”	the plan annexed hereto
“the Planning Permission”	the planning permission subject to conditions to be granted by the Council pursuant to the Application
“Reasonable Endeavours”	all those reasonable steps which a prudent and determined person or company acting in his or its best interests and anxious to achieve the stated objective would take (save where the Agreement otherwise indicates)  [use if there is a sum payable to KCC]
“the Recreational Sum”	the sum of £ ( pounds) payable under the terms of this Agreement of which £ shall be in respect of youth and adult recreation, £ shall be in respect of children’s equipped playspace and £ shall be in respect of children’s unequipped playspace
“the Site”	the land against which this Agreement may be enforced being all that piece or parcel of land with buildings thereon known as  Kent registered at H M Land Registry with Title Absolute under Title Number K and shown edged red on the Plan

## Interpretation

In this Agreement:

Unless otherwise stated, reference to a clause sub-clause schedule paragraph or sub-paragraph is reference to a clause sub-clause schedule paragraph or sub-paragraph in this Agreement.

Words importing one gender shall include all other genders and words importing the singular shall include the plural and vice versa

Covenants made hereunder by more than one person as joint owners of the Site or a defined part of it are made jointly and severally

References to any enactment include references to that enactment as for the time being amended applied consolidated re-enacted by or having effect by virtue of any subsequent enactment and for this purpose ‘enactment’ means any Act whether public general or local and includes any byelaw order rule regulation procedure scheme or other instrument having effect by virtue of an enactment

The terms “the Council” “the Owner” and “the Mortgagee” shall include their successors in title and assigns



Headings are for ease of reference only and shall not be taken into account in the construction or interpretation of any provision to which they refer

## **2. STATUTORY POWERS AND COVENANTS**

This Agreement is made pursuant to Section 106 of the Act and all other enabling powers and enactments which may be relevant for the purpose of giving validity hereto or facilitating the enforcement of the obligations herein contained with the intent to bind the Owner's interest in the Site

Covenants in this Agreement falling within the provisions of section 106 of the Act shall be deemed to be expressed to be planning obligations to which the said section shall apply

Nothing contained or implied by this Agreement shall prejudice or affect the rights powers duties and obligations of the Council in the exercise of its functions as Local Authority and its rights powers duties and obligations under all public and private statutes bylaws and regulations may be as fully and effectually exercised as if the Council were not a party to this Agreement

## **3. CONDITIONALITY**

This Agreement is conditional upon:

the grant of the Planning Permission; and

the Commencement of the Development

save for the provisions of Clause 4.5 (legal costs) and Clause 14 (jurisdiction) which shall come into effect immediately upon completion of this Agreement.

## **4. THE OWNER'S COVENANTS**

The Owner hereby covenants with the Council as follows: -

### **The Recreational Sum**

On or before the date the Development is Commenced to pay to the Council the Recreational Sum in lieu of the provision on the Site of recreational open space for youths and adults and children's playspace

Not to Commence the Development unless and until the Recreational Sum has been paid

### **The Educational Sum**

On or before the date the Development is Commenced to pay to the Council the Educational Sum towards the provision of additional school places

Not to Commence the Development unless and until the Educational Sum has been paid

### **Affordable Housing**

To comply with the affordable housing requirements set out in the Schedule

## Notices

To notify the Council in writing ten working days prior to the commencement of the Development with the date on which the Development is Commence

## Council's Legal Costs

To pay the Council on completion of this Agreement the reasonable legal costs of the Council incurred in the negotiation, preparation and execution of this Agreement

## 5. COUNCIL'S COVENANTS

The Council hereby covenants with the Owner as follows: -

To apply the Recreational Sum towards the provision and improvement of recreational facilities for youths and adults and children's playspace to serve Royal Tunbridge Wells or other identified site

That if the Recreational Sum or any part thereof remains unused by the Council on the expiry of a period of ten years from the date of payment to the Council then the Council shall repay to the Owner the Recreational Sum or the part thereof which remains unused together with Interest

To use its Reasonable Endeavours to ensure that the Educational Sum will be spent upon the provision of educational facilities within a two-mile radius of the Site in respect of primary education and within a three-mile radius of the Site in respect of secondary education

To use its Reasonable Endeavours to ensure that any part of the Educational Sum which has not been expended within ten years from the date of payment to the Council will be repaid together with Interest

## 6. DECLARATIONS

This Agreement shall cease to have effect (insofar only as it has not already been complied with) if the Planning Permission shall be quashed, revoked or otherwise withdrawn or (without the consent of the Owner) it is modified by any statutory procedure or expires before the Development is Commenced.

The Council will upon the written request of the Owner confirm in writing whether or not the obligations set out herein have been performed or otherwise discharged

No person shall be liable for any breach of any of the planning obligations or other provisions of this Agreement after it shall have parted with its entire interest in the Site but without prejudice to liability for any subsisting breach arising prior to parting with such interest

## 7. WAIVER

No waiver (whether express or implied) by the Council of any breach or default by the Owner in performing or observing any of the terms and conditions of this Agreement shall constitute a continuing waiver and no such waiver shall prevent the Council from enforcing any of the said terms and conditions or from acting upon any subsequent breach or default

## 8. INDEXATION

Any sum referred to in clause 4 shall be increased by an amount equivalent to the increase in the Index from the date hereof until the date on which such sum is payable.

## 9. INTEREST

If any payment due under this Agreement is paid late, Interest will be payable from the date payment is due to the date of payment.

## 10. CHANGE IN OWNERSHIP

The Owner agrees with the Council to give the Council immediate written notice of any change in ownership of any of its interests in the Site occurring before all the obligations under this Agreement have been discharged such notice to give details of the transferee's full name and registered office (if a company or usual address if not) together with the area of the Site or unit of occupation purchased by reference to a plan

## 11. NOTICES

Any notice under this Agreement shall be in writing and shall be sufficient if sent as follows:

To the Council if addressed to the Head of Legal, HR and Democratic Services or such other proper officer as defined within the Local Government Act 1972 as amended for the time being at the address at the head of this Agreement

To the Owner if sent to its address at the head of this Agreement or its registered office for the time being

To the Mortgagee if sent to its address at the head of this Agreement or its registered office for the time being

And in any case by registered or recorded delivery post or if left at the premises or such other address as may have been notified by one party to the other for this purpose

## 12. THIRD PARTIES

The provisions of the Contracts (Rights of Third Parties) Act 1999 are excluded from the terms of this Agreement and unless specifically provided no person other than the parties hereto or their successors in title shall have any benefit or any right to enforce any terms of this Agreement

## 13. LOCAL LAND CHARGE

This Agreement shall be registered as a local land charge

## 14. JURISDICTION

This Agreement is governed by and interpreted in accordance with the law of England and Wales.

**15. MORTGAGEE**

The Mortgagee acknowledges and declares that this Agreement has been entered into by the Owner with its consent and that the Site shall be bound by the obligations contained in this Agreement and that the security of the mortgage over the Site shall take effect subject to this Agreement PROVIDED THAT the Mortgagee shall have no liability under this Agreement unless it takes possession of the Site in which case it too will be bound by the obligations as if it were a person deriving title from the Owner.

**16. MORTGAGEE OF REGISTERED SOCIAL LANDLORD**

If at any time there shall be a mortgagee of the Registered Social Landlord or of a Nominated Tenant of a Shared Ownership Unit with an exercisable power to sell the Affordable Housing Units then:

such mortgagee shall use all Reasonable Endeavours (including reasonable terms and reasonable price being not less than the amount owing to the said mortgagee) to transfer the Affordable Housing Units to a Registered Social Landlord who shall take subject to the provisions of Clause 4.3

If such mortgagee is unable to transfer the Affordable Housing Units in accordance with Clause 16.1 within four months of the mortgagee taking possession the mortgagee may thereafter transfer the Affordable Housing Units free from the provisions hereof which shall thereafter not be binding or enforceable against the Affordable Housing Units the said mortgagee or its successors in title

The mortgagee shall give the Council one week's notice of the intention to seek a Registered Social Landlord to acquire the Affordable Housing Units under Clause 16.1

IN WITNESS whereof the parties hereto have executed and delivered this document as a deed the day and year first before written

**SCHEDULE  
AFFORDABLE HOUSING**

**1. Definitions**

In this Agreement unless the context otherwise requires the following expressions shall have the following meanings: -

“the Affordable Housing Units”	number residential units being (state mix of properties) forming part of the Development which shall meet, as a minimum, the essential items of the Housing Corporation's Scheme Development Standards fifth edition 2003 and the Code for Sustainable Homes Level 3 standard.
“Registered Social Landlord”	the same meaning as in the Housing Act 1996 and shall be approved by the Council, such approval not to be unreasonably withheld
“the Remaining Units”	the Residential Units or car parking spaces forming part of the Development other than the Affordable Housing Units

“Rental Units”	number of the Affordable Housing Units being and available for rent under the terms of this Agreement
“Residential Unit”	any of the dwellings to be erected on the Land pursuant to the Planning Permission
“Shared Ownership Units”	number of the Affordable Housing Units being and available for shared ownership occupation

2. The Owner shall not permit the Occupation of more than [20% but add a number] of the Remaining Units until the Affordable Housing Units:

have been constructed in accordance with the Planning Permission ;

have been transferred to a Registered Social Landlord; and

are ready for Occupation

3. The Owner shall:

not permit the Affordable Housing Units to be occupied other than by persons whose income does not enable them to afford or buy or rent housing appropriate for their needs on the open housing market

ensure that the Affordable Housing Units [OR (if shared ownership applies) the Rental Units] are available for rental occupation and allocated adopting the procedure set out in paragraph 3

ensure that each Affordable Housing Unit is let at a rent which accords with relevant Housing Corporation Guidance prevailing at the time of letting

ensure that the Shared Ownership Units are available for shared ownership occupation and allocated adopting the procedure set out in paragraph 3

provide to the Council a copy of the form of Transfer to a Registered Social Landlord (duly executed by all parties and dated) within 3 working days of completion of the said transfer

4. The nomination procedure shall be as follows:

The Owner shall give to the Council written notice of the date upon which one of the Affordable Housing Units will be available for first occupation and state if the said Affordable Housing Unit is a Rented Unit or a Shared Ownership Unit. Where such occupation will be the first occupation following practical completion the said notice shall be given at least 28 days prior to the expected date of practical completion in respect of the Rented Units and at least 60 days prior to the expected date of practical completion in respect of the Shared Ownership Units

the Council shall within five (5) working days of receipt of the notice referred to in paragraph 3.1 supply the name and address of a Nominated Tenant from its Joint Housing Register

the Owner shall offer to the Nominated Tenant a tenancy of an Affordable Housing Unit and the Nominated Tenant shall have five (5) working days from receipt of the offer in which to accept it

if the Nominated Tenant shall reject the offer or fail to reply to the Owner within the said five (5) working day period the Owner shall notify the Council

if the Nominated Tenant shall reject the offer or fail to reply to the Owner within the said five (5) working day period the Owner and the Council shall operate the procedure referred to in paragraphs 3.2, 3.3 and 3.4 until the Affordable Housing Units are successfully allocated

In the event that any Affordable Housing Unit becomes available to the Owner for re-letting or for reallocation as a Shared Ownership Unit the Affordable Housing Unit shall be allocated according to the procedure set out in paragraph 3 (save that the periods of 28 days and 60 days appearing in paragraph 3.1 shall each be reduced to 10 days) in respect of 75% of the vacancies in any one calendar year Provided that if in the opinion of the Council there is no suitable person to nominate from the Joint Housing Register the Owner may nominate a person from its Transfer List

## 5. Statutory Provisions

The Owner shall comply with the provisions of the Housing Act 1985 and the Housing Act 1996 in so far as they relate to the Site

In the event that the Affordable Housing Units are occupied by persons who have exercised a right to staircase to 100% ownership or have a statutory right to acquire the freehold of or a long leasehold interest in an Affordable Housing Unit under the Housing Acts 1988 or 1996 or any other statutory power and if such person does acquire the freehold of or a long leasehold interest in an Affordable Housing Unit pursuant to such rights then the provisions of this Schedule shall cease to have effect in respect of that Affordable Housing Unit

**THE COMMON SEAL** of the **TUNBRIDGE WELLS BOROUGH COUNCIL** is hereunto

affixed in the presence of:-

Authorised Signatory

Authorised Signatory

**THE COMMON SEAL** of  
**THE OWNER)**

is hereunto affixed in the  
presence of:-

Director

Director/Secretary

**THE COMMON SEAL** of

**THE MORTGAGEE**

is hereunto affixed in the

presence of:-

Director

Director/Secretary

## Appendix 3 List of Preferred Registered Social Landlord Partners

<p><b>Home Group</b></p> <p>Maxwell Hart Building, 612 Reading Road, Reading, Berks RG41 5HF</p> <p>Tel: 01189 777612 Email: <a href="mailto:mark.glendenning@homegroup.org.uk">mark.glendenning@homegroup.org.uk</a></p>	<p><b>Housing Corporation</b></p> <p>Leon House, High Street, Croydon, Surrey CR9 1UH</p> <p>Tel: 0208 253 1400 Email: <a href="mailto:inez.hough@housingcorp.gsx.gov.uk">inez.hough@housingcorp.gsx.gov.uk</a></p>
<p><b>Hyde Housing Association</b></p> <p>Chaucer House, Knightrider Street, Maidstone, Kent ME15 6ND</p> <p>Tel: 01622 356441 Email: <a href="mailto:janine.allen@hyde-housing.co.uk">janine.allen@hyde-housing.co.uk</a></p>	<p><b>Moat Housing Group</b></p> <p>Mariner House, Galleon Boulevard, Crossways, Dartford, Kent DA2 6QE</p> <p>Tel: 0845 359 6887 Email: <a href="mailto:sarah.paxton@moat.co.uk">sarah.paxton@moat.co.uk</a></p>
<p><b>Orbit Housing Group</b></p> <p>Business Development Team, Unit 3, Manor Park, Manor Road, Erith, Kent DA8 2AT</p> <p>Tel: 01322 344863 Email: <a href="mailto:debra.fitzgerald@orbit.org.uk">debra.fitzgerald@orbit.org.uk</a></p>	<p><b>Places for People</b></p> <p>4 Horsefair Mews, Romsey, Hampshire SO51 8JG</p> <p>Tel: 07811 352512 Email: <a href="mailto:tim.machin@placesforpeople.co.uk">tim.machin@placesforpeople.co.uk</a></p>
<p><b>Southern Housing Group</b></p> <p>I Eurogate, Eurogate Business Park, Ashford, Kent TN24 8XW</p> <p>Tel: 08456 895636 Email: <a href="mailto:annabel.mckie@shg.org.uk">annabel.mckie@shg.org.uk</a></p>	<p><b>Town and Country Housing Group</b></p> <p>High Weald House, Monson Way, Royal Tunbridge Wells, Kent TN1 1LQ</p> <p>Tel: 01892 501711 Email: <a href="mailto:michael.allwood@tchg.org.uk">michael.allwood@tchg.org.uk</a></p>
<p><b>West Kent Housing Association</b></p> <p>101 London Road, Sevenoaks, Kent TN13 1AX</p> <p>Tel: 01732 749963 Email: <a href="mailto:richard.webb@wkha.org.uk">richard.webb@wkha.org.uk</a></p>	

Table 2 RSL Preferred Partner Contacts

## Appendix 4 Viability of Sites and Development Appraisals

Paragraph 2.17 of this SPD states that *“In exceptional cases, where a development proposal would not meet the affordable housing requirements set out in this SPD (for example, through exceptional and unforeseen site-specific reasons), the Borough Council will require a development appraisal to justify such a departure.”* and notes that a suitably qualified and experienced professional should carry out the appraisal. In the first instance, the Borough Council will use the Housing Corporation Economic Appraisal Toolkit to assess initial economic viability.

The development appraisal should at least compare the gross development value (Note 1) of a scheme that would comply with this SPD, with the cost of providing that development, i.e. the value of the site (Note 2); plus the cost of the development (Note 3). This would be a minimum and a detailed appraisal would probably need to include more items.

Note 1: Gross Development Value:	This represents the estimated capital value of the completed development and, for a large site, could be broken down into phases. In cases where the developer proposes to sell the land on which the affordable housing is to be provided to an RSL (as opposed to the dwellings themselves), a full explanation of how the value of the land (distinguishing between social rented and intermediate housing) has been calculated. This represents the estimated capital value of the completed development (including any affordable housing provider's offer of contribution) and for a large site, could be broken down into phases.
Note 2: Site Value:	This may not always be the actual price paid for the site but should represent a fair assessment of the current value of the site for the development proposed, reflecting planning policy. It could include matters such matters as acquisition costs, stamp duty, Land Registry fees etc.
Note 3: Costs of Development:	<p>These <b>could</b> include the following matters:</p> <ul style="list-style-type: none"> <li>● Infrastructure and build costs</li> <li>● Site remediation costs, which would normally be based on contamination mitigation costs based on Phase 2 (intrusive) testing</li> <li>● Professional fees</li> <li>● Planning and building regulation fees</li> <li>● A contingency allowance</li> <li>● Finance costs (i.e. interest paid on borrowing money to buy the site and fund the building works)</li> <li>● Developers profit (usually expressed as % of gross development value, or cost)</li> <li>● Selling agents fees</li> <li>● commuted sums for other community benefits</li> </ul>



## Appendix 5 Lifetime Homes Standard Design Criteria

The Lifetime Homes Standards are based on 16 design criteria. When submitting a planning application, the applicant should show, both on the plans and in the accompanying statement, to what extent the 16 criteria have been satisfied in the proposed development.

Lifetime Homes Standards assume full compliance with Part M of the Building Regulations as a minimum, but some of the 16 criteria require a higher standard than is required by Part M.

### The 16 Design Elements

1. Where there is car parking adjacent to the home and within the curtilage of the site, it should be capable of enlargement to 3.3m wide.
2. The distance from the car parking space to the home should be kept to a minimum and should be level or gently sloping.
3. The approach to all entrances should be level or gently sloping.
4. All entrances should be illuminated and have level access over the threshold. The main entrance should also be covered.
5. Communal stairs should provide easy access, in accordance with Part M of the building Regulations, and, where homes are reached by a lift, the lift should be wheelchair accessible, including minimum internal dimensions of 1100x1400mm and fittings to Part M standard.
6. Internal doorways and hallways should be wide enough to allow wheelchair users to manoeuvre into and out of rooms (including one that contains a toilet). Front doors should have a clear opening width of 800mm and internal doors a clear opening width of 750mm. There should be 300mm space allowance between any corner and the opening edge of the door. Corridors should conform to the following:

Doorway clear opening width (mm)	Corridor/passageway width (mm)
750	900 (when approach is head on)
750	1200 (when approach is not head on)
775	1050 (when approach is not head on)
900	900 (when approach is not head on)

7. There should be space for turning a wheelchair in dining areas and sitting rooms and adequate circulation space for wheelchair users elsewhere. Where furniture layout is shown, a turning circle of 1500mm or an ellipse of 1400x1700mm should be shown. In kitchens a minimum 1200mm space between units and the opposite wall is sufficient.
8. In houses of two or more storeys, the living room should be at entrance level.
9. In houses of two or more storeys, there should be space on the ground floor that could be used as a convenient bed space, without compromising the living room.
10. There should be a wheelchair accessible toilet at entrance level:
  - a. In smaller units this should have an outward-opening door, positioned to enable wheelchair users to access the WC, with a clear opening width in accordance with Criterion 6 above. The WC compartment should also provide a clear

space for wheelchair users to access the WC, unimpeded by the position of the washbasin.

- b. In larger units (3 bedrooms or more) on more than one floor, the WC should be wheelchair accessible, such that a wheelchair user can close the door and do a side transfer onto the toilet. It should also provide a floor drain, suitable to allow future shower installation. An outward opening door will normally be required. There should be a minimum 1100mm between the WC pan front rim and the opposite wall and a minimum 700mm transfer area to the side of the toilet.
11. Walls in bathrooms and toilets should be capable of taking adaptations such as handrails.
  12. The design should incorporate provision for a future stair lift. To this end, there should be a clear space between the wall and the widest part of the opposite handrail at least 900mm wide. There should also be a suitably identified space (with butted joists) for potential installation of a through the floor lift from the ground to the first floor, for example to a bedroom next to a bathroom.
  13. The design should provide for a reasonable route for a potential hoist from a main bedroom to the bathroom. The best solution is a removable panel between the bathroom and bedroom. However, a simple route from bed to bathroom is acceptable so long as the potential route does not compromise fire walls/ breaks.
  14. The bathroom should be designed to incorporate ease of access to the bath WC and wash hand basin. While there is not a requirement for a turning circle, simple layout and ease of use are essential. Provision for side transfer to the WC is preferred.
  15. Living room window glazing should begin at 800mm or lower and windows should be easy to open and operate.
  16. Switches, sockets, ventilation and service controls should be between 450mm and 1200mm from the floor.

## Appendix 6 Roles of Agencies involved in Delivery of Rural Exceptions Affordable Homes

### Role of the Parish Council

The Parish Council has a crucial role to play throughout this process and the Borough Council readily acknowledges this.

#### Housing Needs Issues

- The Parish Council will be the Borough Council's main point of contact as representatives of the local community and will be informed at the earliest opportunity of the housing needs issues in the area; and the requirement to carry out a Parish Housing Needs Survey
- The Parish Council can assist the survey process by assisting with the design of the survey; promoting the survey in newsletters and notice boards and help maximise the return rate of the Parish Housing Needs Surveys Questionnaire by using their networks to encourage the return of forms
- Where there is a proven need for additional housing through the Housing Needs Assessment process the Parish Council will be able to assist in developing a successful scheme by:
  - i. Using their knowledge of the local area to assist in identifying potential sites for the development of affordable housing
  - ii. Participating in the selection of a Housing Association (out of the Council's list of Preferred Partner Housing Associations) to develop and manage the scheme
  - iii. Promoting any public consultation event with the local community
  - iv. Contributing to the planning application
  - v. Advertising the availability of the new homes and ensuring that anyone who qualifies and is in need of accommodation is registered on the Housing Register

### Housing Associations

The Borough Council transferred its housing stock in 1992 and all social housing in the Borough is now developed and managed by Housing Associations. The Council currently has a Preferred Partnership arrangement with a select number of Housing Associations with whom the Council will work on any new development opportunities in the borough. The current preferred partners are listed at Appendix 3 of this document:

The Borough Council will invite any interested Preferred Partner RSL to 'bid' to:

- develop and manage the new scheme. Bidding will be in the form of a presentation to representatives from the Parish and Borough Councils. This should include information on previous experience of rural exception schemes, ideas for the new scheme and development and management policies and their approach to day-to-day management of the scheme
- to assist in the selection process each Housing Association will be marked against a list of evaluation criteria, which will be drawn up in consultation with the Parish Council

Upon selection the role of the RSL will be to:

- Provide further information and advice to inform the site assessment process
- Consult the Parish Council and Borough Council on the layout and design of the scheme

- Draw up plans and proposals for the new scheme
- Participate in all public consultation events regarding the new development
- Apply for funding and planning/building consents
- Build the homes
- Work in conjunction with the Borough Council's Lettings team to ensure that all homes are allocated in accordance with any Planning agreements, Local Plan policy and the Tunbridge Wells Housing Register Allocations Policy

### **Action with Communities in Rural Kent**

- Action with Communities in Rural Kent will initiate the survey process and, where there is a proven need for housing, Rural Housing Enablers employed by Action with Communities in Rural Kent will generally facilitate the whole process and help to drive forward the development of affordable housing in rural areas for local people
- Provide independent advice to local communities and Parish Councils on developing rural exception schemes in the local area
- Support the Parish Council and local community throughout the development of a local needs housing scheme;
- Conduct Parish Housing Needs Assessments to identify local housing need
- Assist in identifying sites for housing in partnership with local communities, landowners and the Borough Council
- Undertaking detailed work to bring a scheme to development stage that meets the housing needs of the community and has its support
- Act independently to broker agreement between all parties
- Support all partners in speeding up the process for the development of affordable rural homes

### **Housing Services**

To facilitate the development of housing on rural exception sites, appropriate officers from Housing Services will:

- Brief Parish Councils at the earliest opportunity of the requirement to carry out a Parish housing needs assessment
- Consult the Parish Council at all appropriate stages of the process
- Assist in the identification of potential sites for rural exception housing schemes and assessment of suitability of sites and where necessary seek internal advice from other Council Services
- Assist the Parish Council in selecting an appropriate Housing Association partner to develop the scheme
- Ensure that the proposed development meets the needs of the community
- Participate in all public consultation events regarding the new development
- Address funding issues
- Contribute to the Planning Report to be submitted to the Area Planning Committee
- Ensure that all allocations are made in accordance with Planning agreements and the Local Plan policy in relation to rural exception housing

### **Planning Services: Strategy and Planning Policy Team**

To assist in the timely delivery of rural housing, the appropriate officers from Strategy and Planning Policy Team will:

- Assist in the early identification of potential sites for rural exception housing schemes, including the appointment and management of outside consultants
- Lead in the preliminary assessment of all potential sites by providing advice on the suitability of sites in planning terms and early identification of potential issues; including preliminary assessment in terms of: suitability in respect of the number and type of new homes; planning designation and other planning issues; other factors – highways drainage etc
- Prepare and update Local Development Documents to facilitate the provision of rural exceptions affordable housing through enabling policies and allocating exception sites for affordable housing, where appropriate;
- Prepare and update Supplementary Planning Documents to guide implementation of LDD policies and delivery of rural affordable housing

#### **Planning Services: Eastern and Western Development Control Teams**

- Assist in the early identification of potential sites for rural exception housing schemes
- Assist in the preliminary assessment of all potential sites by providing advice on the suitability of sites in planning terms and early identification of potential issues
- Review and provide advice regarding the draft plans and proposals provided by the RSL
- Attend Parish Council meetings to provide advice on planning matters where appropriate
- Provide pre -planning application advice on the content of planning applications
- Participate in all public consultation events regarding the new development where planning control issues are likely to arise
- Upon receipt of the planning application, consult Housing Services to ensure there is a housing contribution to the Planning Report to be submitted to the Area Planning Committee
- Seek to deliver a timely decision on any planning application for exception needs affordable

## Appendix 7 Programme for Parish Housing Needs Survey

Survey Year	Parish
2006/07	Bidborough Brenchley Frittenden
2007/08	Horsmondon Pembury Lamberhurst
2008/09	Benenden Sandhurst Speldhurst
2009/10	Hawkhurst Capel
2010/11	Cranbrook Goudhurst

Table 3 Five-year rolling programme of Rural Housing Needs Surveys

## Appendix 8 Model Parish Housing Needs Survey Questionnaire

### Housing Needs in the Parish of .....

Please complete this survey on behalf of your household. Please tick or write in the appropriate box.

#### Section 1

##### Q1. How many people live in your home?

	How Many	Ages
Adult male		
Adult female		
Child male		
Child female		

##### Q2. Please describe your current housing

Owner / Occupier (with or without mortgage)	Tied tenancy	Housing Association
Private rented	Living with relatives	

Please tick the box which best matches the home you currently live in

House 1 bed	House 2 bed	House 3 bed	House more than 3 bed
Flat 1 bed	Flat 2 bed	Flat 3 bed	Flat more than 3 bed
Bungalow 1 bed	Bungalow 2 bed	Bungalow 3 bed	Bungalow more than 3 bed
Other (eg caravan / mobile home)			

##### Q3. How long have you lived in the parish?

Less than 1 year	1-5 years	6-10 years	11-15 years	16-25 years	26+ years
------------------	-----------	------------	-------------	-------------	-----------

##### Q4. Have any members of your household left the parish in the last few years?

Yes                      No

If yes, please state how many \_\_\_\_\_ and please indicate the reason why

Lack of cheaper housing	To attend college/university	Employment	Other
-------------------------	------------------------------	------------	-------

**Q5. Would they return is cheaper accommodation could be provided?**

Yes                      No

**Q6. Would you support a development which would help meet local needs?**

Yes                      No

**Q7. Have you any comments you would like to make about the housing needs of your parish?**

-----

-----

**Q8. Please suggest where such a development might be situated**

-----

-----

**Q9. Do you and your household, or any member of your household, need accommodation either now or in the next 3 years?**

No	Yes, Now	Yes, in next 3 years
----	----------	----------------------

**If you have answered 'Yes, Now' or 'Yes, in next 3 years', please continue with Section 2.**



## Section 2

If you or anyone else living in your house is in need of alternative housing, please continue with the questionnaire. If a member of your household has already left the parish but would like to return, please contact the Clerk for an additional questionnaire.

Please answer all these questions for the person who needs a home

**Q10. If you live in the parish do you wish to stay in the parish?**

Yes                      No

**Q11. If you live outside of the parish do you wish to return to the parish?**

Yes                      No

**Q12. What is your connection with the parish? - please tick all that apply**

I currently live in the parish and have done so continuously for the last 3 years	
I currently live in the parish and have done so for a total of at least 5 out of the last 10 years	
I do not live in the parish but have been a member of a household which still lives in the parish and have done so continuously for the last 3 years or more	
I do not live in the parish but have been a member of a household which still lives in the parish and have done so for a period of 5 out of the last 10 years	
In the past I have lived in the parish for continuously for 5 out of the last 10 years	
I have immediate * family which has lived continuously in the parish for at least 10 years	
I am in permanent full time employment or about to take up permanent full time employment in the parish	
I provide an important service requiring residence in the parish Please specify _____	

\*immediate = Mother , Father, Children over 18, Brother or Sister over 18

**Q13. How many people in each age group are in housing need?**

<b>Male</b>					
0-15	15-24	25-44	45-59	60- 74	75+
<b>Female</b>					
0-15	15-24	25-44	45-59	60- 74	75+

**Q14. How are you related to the person whose home is described in question 2?**

I am head of the household or their partner	I am a child of the household
I am another relative living in their house	I am living in their house but not related

**Q15. What type of household will you be?**

Single person	Couple	Family	Other
---------------	--------	--------	-------

**Q16. Why are you seeking a new home?**

Need larger home	Need smaller home	Present home too expensive
First Independent home	Lodging	Private tenancy ending
To be nearer family	Setting up home with partner	Divorce, separation
Harassment	Retirement	Employment in the parish
Present home shared with another household	Sheltered accommodation due to age/infirmity	Present home in poor condition (and unable to be repaired at reasonable cost)
Disability/disabled (and current home cannot be adapted at reasonable cost)		

**Q17. What type of housing would be suitable for you?**

Flat	House	Bungalow
------	-------	----------

**Q18. How many bedrooms do you need?**

1	2	3	4	5+
---	---	---	---	----

**Q19. Does anyone in your household have a disability or any special needs?**

Yes                      No

If yes, please state their disability \_\_\_\_\_ and give their age \_\_\_\_\_

**Q20. Which options for local housing would be suitable for you? (please tick whichever options you consider suitable for you)**

Renting - Housing Association	Shared Ownership - Housing Association	Buying on the open market
Warden assisted	Residential care	Care at home

**Q21. What is your household weekly or monthly income (including benefits but not housing benefit and council tax benefit) - please tick one box**

less than £48 per week /£208 per month	£49 - £95 per week/£209 - £411 per month
£96 - £145 per week/£412 - £628 per month	£146 - £210 per week/£629 - £910 per month
£211- £249 per week/£911 - £1079 per month	£250 - £300 per week/£1080 - £1300 per month
£301 - £350 per week/£1301 - £1516 per month	£351 - £400 per week/£1517 - £1733 per month
£401 - £500 per week/£1734 - £2166 per month	£501 - £600 per week/£2167 - £2600 per month
£601+ per week/£2601+ per month	

**Q22. How much rent or mortgage can you afford to pay?**

Under £50 per week/£220 per month	£126 - £150 per week/£209 - £411 per month
£51 - £75 per week/£225 - £325 per month	£151 - £200 per week/£651 - £866 per month
£76 - £100 per week/£326 - £433 per month	£201 - £250 per week/£871 - £1083 per month
£101 - £125 per week/£434 - £541 per month	£251+ per week/£1088+ per month

**Q23. How much money could you raise as a deposit?**

less than £1000	£1001 - £5000	£5001 - £10,000	£10,001 - £15,000
£15,001 - £20,000	£20,001 - £25,000	Over £25,000	

**Q24. Are you registered on the local authority housing register?**

Yes

No

**Ultimately to qualify for local needs housing you will need to register on the joint housing register. If you would like to register please contact Tunbridge Wells Borough Council - tel 01892 526121 or your Parish Clerk for a form.**

If you would like to be kept informed of any future developments as a result of this survey please write your name and address in this space.
---

Thank you for taking the time to complete this survey.

Please return your form in the envelope provided

## Appendix 9 Selection Process for RSL Partner for Rural Exception Schemes

Please note that, following a Parish Housing Needs Survey, a site search will be carried out for the Parish Council by Planning Services or one of its consultants.

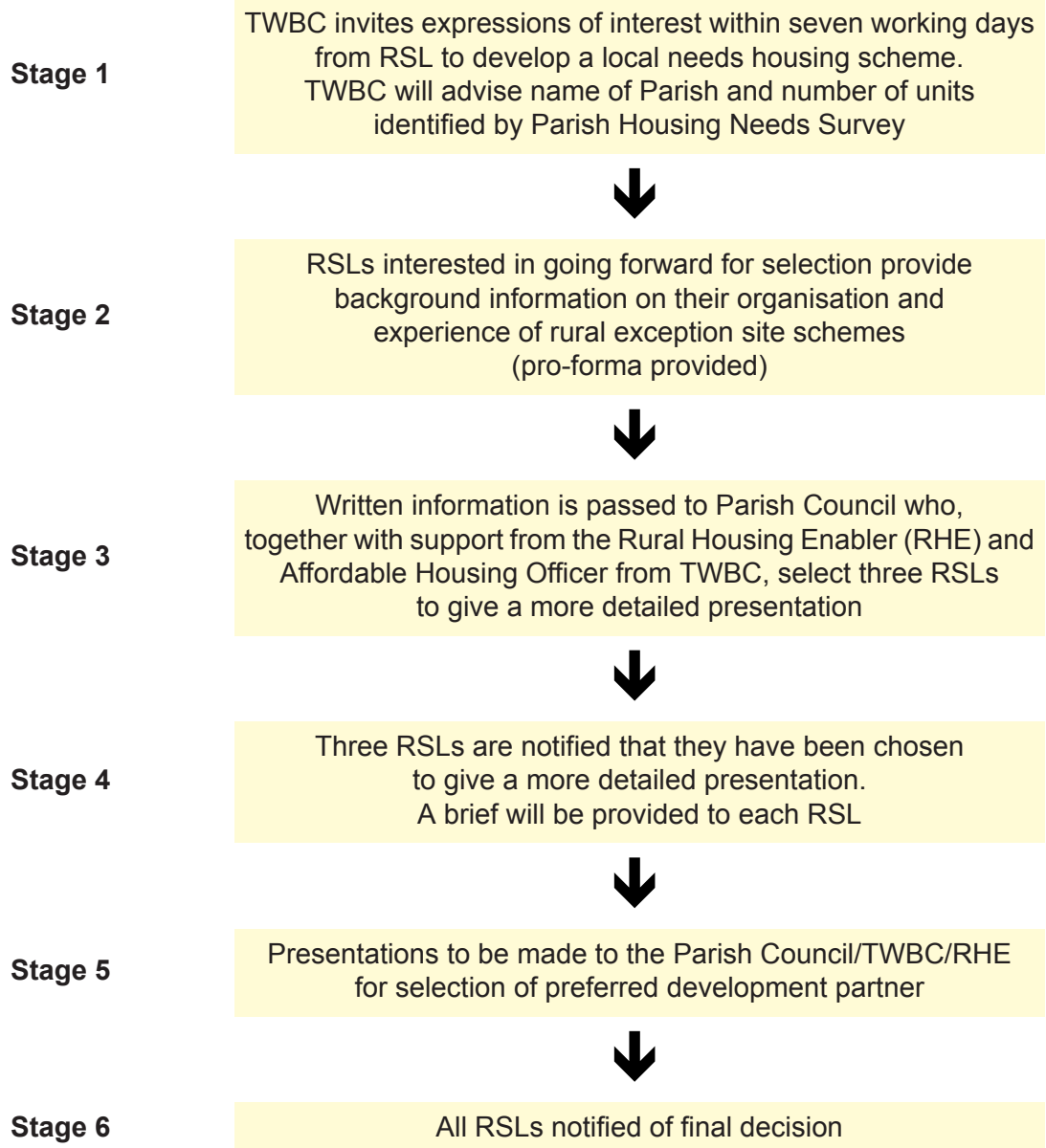


Table 4 Rural Exception Sites: RSL Selection Process

For further information, please contact:

Jennifer Shaw, Rural Housing Enabler, Action with Communities in Kent

Tel: 01303 850816

Email: [jennifer.shaw@ruralkent.org.uk](mailto:jennifer.shaw@ruralkent.org.uk)

or

Jennifer Hudson, Affordable Housing Officer, Tunbridge Wells Borough Council

Tel: 01892 554222

Email: [jennifer.hudson@tunbridgewells.gov.uk](mailto:jennifer.hudson@tunbridgewells.gov.uk)

## Appendix 10 Rural Exceptions Housing - Local Connections Qualification Criteria

To be considered for rural exception needs housing a local resident must be in housing need that cannot otherwise be met locally at affordable cost and satisfy one or more of the following local connection criteria that are set out in the Local Plan (2006) Policy H8:

### Qualifying through current residence

The applicant must currently live in the Parish AND:

1. Have done so continuously for the last 3 years; OR
2. Have done so for a total of at least 5 years out of the last 10 years.

### Qualifying through previous residence or family connections

The applicant must have previously been a member of a household, which currently lives in the Parish, and:

1. Has done so continuously for the last 3 years; OR
2. Has done so for a period of 5 years out of the last 10 years.

IN ADDITION, the applicant must also either:

3. Have resided in the Parish themselves for a continuous period of 5 out of the last 10 years; OR
4. Have immediate family \* who have lived continuously in the Parish for a minimum of 10 years.

\*Immediate family means mother, father, children over 18 years, brother or sister over 18 years.

### Qualifying through employment or service to the community

The applicant must either:

1. Be in or about to take up permanent full time employment in the Parish; OR
2. Provide an important service\*\* that requires residence in the Parish. This will include providing a service to an adjoining Parish that is unable to provide for that need.

\*\* Examples of an important service are firefighter, teacher, and nurse.

To be considered for housing on a rural exception site, local residents must be registered on the Tunbridge Wells Housing Register. They will be required to complete a local connection form detailing their connection with the Parish and will be required to provide supporting documentary proof.

## Appendix 11 Housing Corporation Design and Quality Standards (April 2007)

For schemes funded from the forthcoming 2008 -2011 National Affordable Housing Programme, these must be built to meet, or exceed, the Housing Corporation's new Design Quality Standards (April 2007).

The performance measures which indicate compliance are:

- For each home, Housing Quality Indicator (HQA) unit minima scores for Size of 41, Layout of 32, Noise, services, light of 22. In meeting the HQI unit layout minimum score, it is expected that internal and external storage provision at least meets the requirements for storage specified in the HQI guidance for the occupancy and does not fall short in any aspect.
- The achievement of the Code for Sustainable Homes level 3 (three star) as a minimum. Please note that full points need to be achieved in the security section.
- An assessment against the 20 "Building for Life" criteria which demonstrates a minimum achievement of:
  - 10 out of 20 positive responses (rural and street-fronted infill)
  - 12 out of 20 positive responses (all other developments)

Developers/RSLs should be aware of the relevant Housing Corporation standards that apply to the development. The latest standards can be downloaded from the Corporation's website ([www.housingcorp.gov.uk](http://www.housingcorp.gov.uk)) and the Housing Corporation's regional offices can provide further clarification.

## Appendix 12 Glossary of Terms

<b>Affordable Housing</b>	Affordable housing is defined as that which is accessible to those people whose incomes are insufficient to enable them to afford adequate housing locally in the open market. For the purposes of this SPD it includes social rented housing and intermediate housing.
<b>Affordability Criteria</b>	The criteria by which the Council determines the 'affordability' of a scheme. The criteria are based on cost to occupier and, in addition to standard monthly outgoings (rent, etc), takes into account additional costs such as service charges and ground rent, if applicable, but expected to be at a peppercorn.
<b>DCLG</b>	Department of Communities and Local Government (central government body responsible for housing and planning matters).
<b>Development Appraisal/ Financial Appraisal</b>	An appraisal of the viability of a housing scheme and the sensitivity of providing the required amount of affordable housing, and identifying the maximum reasonable amount of affordable housing to be provided. The development appraisal will be required to be an open book assessment and will include standard assumptions about land values and profit margins. Such appraisals should be carried out by a professional with experience in the field of residential development.
<b>Financial Appraisal</b>	See Development Appraisal
<b>Housing Corporation</b>	The Housing Corporation is a non-departmental body that is responsible for funding and regulating the provision of affordable homes in England.
<b>Housing for Intermediate Rent</b>	Defined as housing with rents set at a higher level than purely <b>social rented</b> , but lower than market rent levels. Must be affordable for households in the <b>priority need group</b> . Intermediate rent housing is normally provided by a <b>Registered Social Landlord</b> , or other affordable housing providers agreed by the Council, with a local management presence.
<b>Housing Needs Survey (HNS)</b>	A local housing needs assessment that plays a crucial role in underpinning land-use planning policies relating to affordable housing.
<b>Intermediate Housing</b>	Sub-market affordable housing includes <b>Housing for Intermediate Rent, Shared Ownership/Shared Equity and Discounted Sale</b> . For intermediate housing to count as affordable it must meet the Council's <b>affordability criteria</b> .
<b>Key Worker</b>	The Government definition of 'Key worker' was formulated for the purposes of the 'key worker living scheme', they include the following groups: nursing staff, teachers, police, prison and probation service staff, local authority planners, social workers, occupational therapists and educational psychologists. Further information on the Government's Key Worker Living scheme can be found at: <a href="http://www.dclg.gov.uk">http://www.dclg.gov.uk</a> . In nominating households for schemes specifically funded by the Government for Key Workers the Council currently uses the definition above. The Government definition is also used for other schemes for which Key Workers are eligible. However,



	the Council is seeking to develop a local definition of key workers which would take into account local circumstances.
<b>Local Development Documents</b>	These include Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs), which together make up the Local Development Framework under the Planning and Compulsory Purchase Act 2004. DPDs contain policy and/or site allocations and are required to go through a rigorous process of consultation and examination in public. SPDs are supplementary advice on the detail of how adopted policy will be implemented.
<b>Lifetime Homes Standards</b>	The incorporation of 16 design features that together create a flexible blueprint for accessible and adaptable housing in any setting. The Lifetime Homes concept increases choice, independence and longevity of tenure, vital to individual and community well-being. All new housing must comply with this standard.
<b>Limits to Built Development</b>	Policy LBD1 of the Tunbridge Wells Borough Local Plan (2006), which defines on the Proposals Map the boundary between the built up areas of settlements and the surrounding open countryside.
<b>Live/Work Units</b>	The provision of segregated living and working accommodation within a single, self-contained unit.
<b>Low Cost Market Housing</b>	Affordable housing (meeting the <b>affordability criteria</b> and identified priority needs) offered for sale at sub-market values. Low cost market housing must be secured in perpetuity to ensure that it remains affordable.
<b>Market Housing</b>	Private housing for rent or for sale, where the price is set on the open market.
<b>Mobility and Wheelchair Housing</b>	Housing Corporation Scheme Development Standards refer to: " <i>Housing which provides access for user groups with limited mobility; and Housing which has full accessibility and ease of manoeuvrability for use by wheelchair users.</i> " (Further detail is available in <a href="#">Wheelchair Housing Design Guide</a> - WHDG CI/Sfb 848-1997 - published by Construction Research Communications Ltd)
<b>Off-Site Provision</b>	Provision in kind of affordable housing following the Council's formula for ensuring the correct number of units is provided.
<b>Payments in Lieu</b>	Provision of monies to the Council instead of providing the affordable housing (either on, or <b>off-site</b> ).
<b>Registered Social Landlord (RSL)</b>	The technical name for social landlords that are registered with the <b>Housing Corporation</b> to provide <b>social housing</b> . RSLs run as businesses but do not trade for profit.
<b>Right to Acquire</b>	An option for tenants of <b>registered social landlords</b> to purchase the property in which they live at a discount, depending on the local authority area in which the property is located. Right to Acquire (RTA) only applies to properties built, or acquired, by housing associations with public funds from 1 April 1997 onwards. Some properties are exempt from RTA (including those in small rural settlements and sheltered housing). Housing Associations will be able to advise existing tenants on whether their house qualifies for RTA. To qualify for RTA, a tenant must occupy a qualifying

	property, which is their only home; and have spent a minimum period as a public sector tenant. The minimum period is two years for those who were tenants before 18 January 2005. This was extended to five years by the Housing Act (2004) for new tenants after 18 January 2005.
<b>Right to Buy</b>	An option for secure council and Registered Social Landlord tenants to purchase the property in which they live. The property is sold at a discounted price, proportional to the length of tenancy, but subject to the maximum allowed. The Right To Buy is not an automatic right.
<b>Scheme Development Standards</b>	Sets out the <i>Housing Corporation's</i> standards for housing design. Six key areas are currently covered by the standards: External and Internal environment; Accessibility; Safety and security; Energy efficiency; Environmental sustainability and noise abatement; and Maintainability, durability and adaptability.
<b>Service Charges</b>	Charges in addition to the rent/mortgage payable by the occupant of affordable housing, for example to cover lift maintenance and servicing, and for communal upkeep of landscaping.
<b>Shared Ownership/Equity</b>	An option for council tenants, housing association tenants, priority need households and those on the housing register to buy a share in a property. A proportion cost of rent is paid on the remaining share. The owner has the opportunity to increase the share they own by ' <i>stair-casing</i> ' up to 100% of the property.
<b>Social Homebuy</b>	Social Homebuy enables tenants of participating RSLs to buy a share in their current home (usually a minimum of 25%) at a discount.
<b>Social Housing Grant (SHG)</b>	This is a Capital grant that may be provided by the <i>Housing Corporation</i> and/or the Council as a subsidy towards the provision of affordable housing.
<b>Social Rented Housing</b>	Housing provided at rents no greater than the <i>Housing Corporation's target rents</i> , locally managed by a <i>Registered Social Landlord</i> . Social rented accommodation should be available to households in housing need and will be allocated according to needs-based allocation systems administered by the Council.
<b>Stair-casing</b>	When an occupier of a <i>shared ownership</i> property increases the proportion of the dwelling that they own over time, up to a possible 100%.
<b>Target Rents</b>	Rent levels set by the Government and the <i>Housing Corporation</i> , which are used to measure the affordability of <i>social rented affordable housing</i> .
<b>Threshold</b>	The number of units that triggers the affordable housing requirement on market schemes. <b>In Tunbridge Wells Borough this is 15.</b>
<b>Wheelchair Housing</b>	Housing specifically designed to enable wheelchair users to live as independently as possible. The usual standards are those contained in <a href="#">Wheelchair Housing Design Guide</a> by Stephen Thorpe, published in 1997 by BRE bookshop.

Table 5 Glossary of Terms