

# Housing Choice

## Supplementary Planning Document



## Consultation

This document is a draft new Housing Choice Supplementary Planning Document for East Staffordshire.

It is proposed that this document will replace the Housing Choice Supplementary Planning Document adopted by the Council in December 2010 and revised in February 2014.

Any person may make representations about this document, and the Council is keen to receive comments. All comments will be taken into account before the document is finalised.

Comments can be made:

- Through the Planning Policy Consultation Portal on the Council's website at <http://eaststaffsbc-consult.limehouse.co.uk/portal>
- By email to [housingstrategy@eaststaffsbc.gov.uk](mailto:housingstrategy@eaststaffsbc.gov.uk)
- By post to: Housing Strategy, East Staffordshire Borough Council, PO Box 8045, Burton upon Trent, DE14 9JG

Comments need to be received by **Wednesday 7<sup>th</sup> May 2014**

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# 1. Foreword

## 1.1 Purpose

1.1.1 This document provides additional information to help applicants make successful applications. It does this by explaining how the Council will implement Local Plan policies for housing. Since this document explains what mix of housing will be required, including affordable, market and specialised housing, it is important for applicants, developers, valuers and landowners to take account of this document at an early stage.

1.1.2 This document is a material consideration in the determination of planning applications for residential development within the Borough.

## 1.2 Background

1.2.1 The Council's vision for East Staffordshire includes the following:

- East Staffordshire's communities will be well planned, vibrant, safe and inclusive;
- Quality housing will be available with a variety that meets the needs of all sectors of the community and the aspirations of a growing population;
- The council will lead a place-shaping agenda which will sensitively enhance the quality and extent of the housing offer that is currently available.

1.2.2 The Council's strategic planning objectives include:

- Housing Choice: To provide a mix of well designed, sustainable market, specialist and affordable homes that meet the needs of existing and future residents given ongoing and expected population change in the Borough.

1.2.3 The National Planning Policy Framework (2012) requires the Council to:

- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community;
- Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- Where they have identified that *Affordable housing* is needed, set policies for meeting this need onsite unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified.

1.2.4 The evidence base underlying the Local Plan housing policies and this document comprises the following evidence which is summarised in Appendix 1:

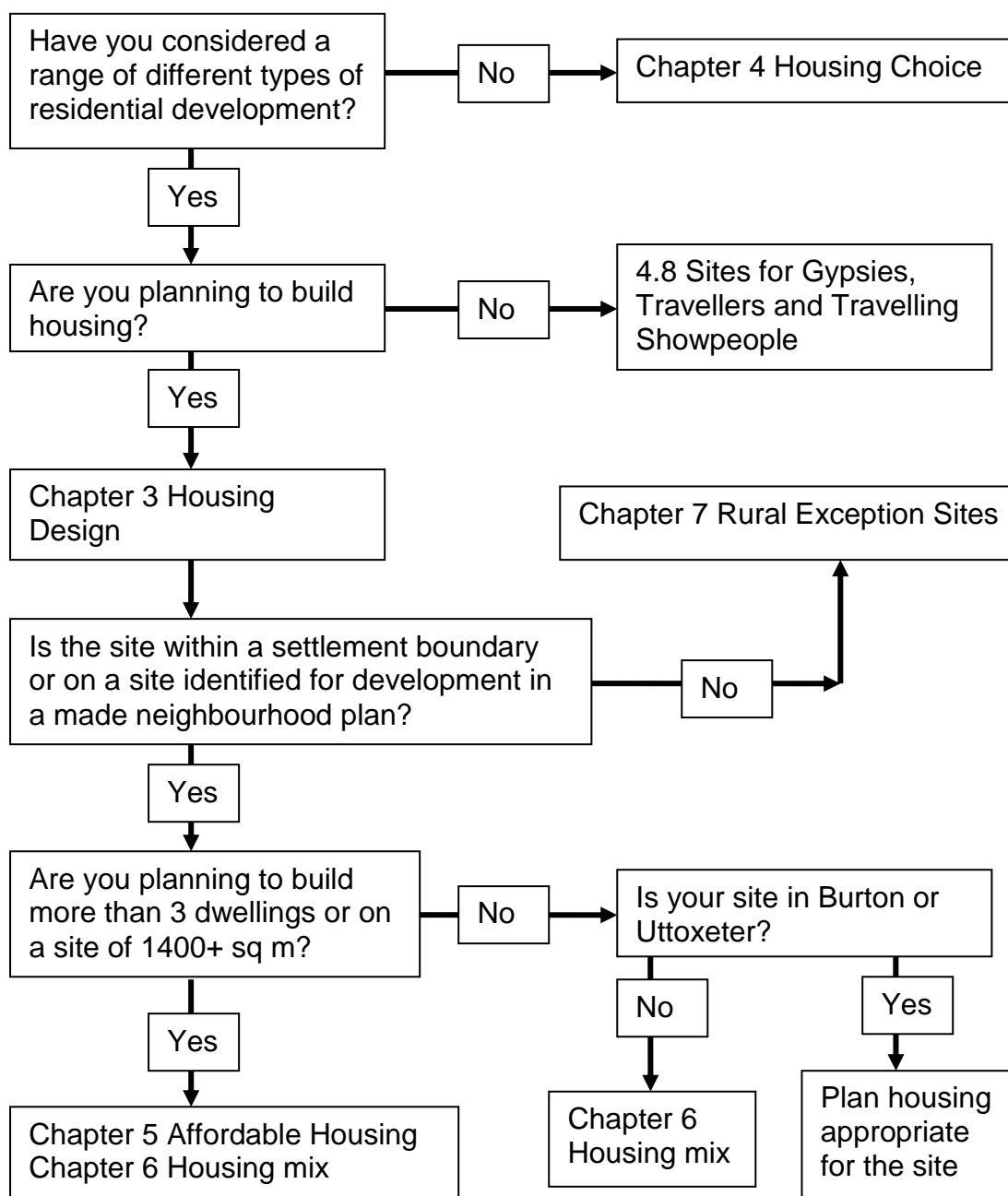
- a) The *Strategic Housing Market Assessment (SHMA)* for East Staffordshire. An original version was published by the Council in October 2013 and an updated version in April 2014.
- b) The *East Staffordshire Borough Council - Local Plan & Community Infrastructure Levy Viability Study (Viability Study)*, produced for the Council by HDH Planning & Development. An initial version was published in November 2013 and a revised version in February 2014.

## 2. Introduction

2.1.1 The list of Contents can be used to locate relevant sections of the document. When reading an electronic version a reader can CTRL Click on the list to move to the relevant section.

2.1.2 The document also includes a number of hyperlinks which can be used when reading an electronic version.

2.1.3 You can also use the following flow-chart to help you navigate the document.



### 3. Housing design

#### **STRATEGIC POLICY 16**

##### **Meeting Housing Needs**

All new housing shall meet the Lifetime Homes standard except where this is impracticable (eg conversion of existing buildings).

#### **3.1 The Lifetime Homes Standard**

3.1.1 The Borough has an ageing population and building new homes to the Lifetime Homes Standard will ensure that new housing is accessible and adaptable to meet people's needs as they change over time, thereby enabling older people to remain living in their homes and communities for longer.

3.1.2 All new housing must therefore meet the Lifetime Homes Standard except where this is impracticable (eg conversion of existing buildings).

3.1.3 The costs of meeting this standard were included within the Viability Study which has demonstrated that this requirement does not threaten the viability of typical sites or of housing delivery.

3.1.4 The Lifetime Homes Standard means the Lifetime Homes design criteria published by Habinteg which are current at the time of the planning application. See [www.lifetimehomes.org.uk](http://www.lifetimehomes.org.uk).

3.1.5 The Government has proposed to replace the Lifetime Homes Standard with a new broadly equivalent Level 2 Accessibility Standard. If and when it does this, the new standard will be the standard required in place of the Lifetime Homes Standard.

#### **3.2 Specialised accommodation for older people**

3.2.1 Specialised accommodation for older people means *Extra-care housing*, *Retirement housing* and care/nursing homes.

3.2.2 This accommodation should be designed in accordance with the:

- a) Guidelines for the planning of housing for senior citizens<sup>1</sup>, and
- b) The ten HAPPI design recommendations<sup>2</sup>:
  - i. Generous internal space standards (within flats)
  - ii. Plenty of natural light in the home and in circulation spaces
  - iii. Balconies and outdoor space, avoiding internal corridors and single-aspect flats
  - iv. Adaptability and 'care aware' design which is ready for emerging tele-care and tele-health-care technologies
  - v. Circulation spaces that encourage interaction and avoid an 'institutional feel'
  - vi. Shared facilities and community 'hubs' where these are lacking in the neighbourhood
  - vii. Plants, trees, and the natural environment
  - viii. High levels of energy efficiency, with good ventilation to avoid overheating
  - ix. Extra storage for belongings and bicycles
  - x. Shared external areas such as 'home zones' that give priority to pedestrians

3.2.3 East Staffordshire has a diverse population. Specialised accommodation for older people can be easily designed to meet the cultural needs of the vast majority of older residents. Relevant design considerations are:

- a) Where possible, some of the toilets should avoid facing towards or away from Mecca.
- b) Larger schemes should include a number of separate communal spaces to allow men and women to socialise separately.

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<sup>1</sup> [www.welhops.net](http://www.welhops.net), 2007

<sup>2</sup> *Housing our Ageing Population: Plan for Implementation*, All Party Parliamentary Group on Housing and Care for Older People, November 2012



## 4. Housing choices

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## 4.1 Providing choice

### Meeting Housing Needs

New housing will be needed for older people, including specialised accommodation and mainstream market housing. Over the plan period the following specialised accommodation is needed:

- 965 new *Extra-care housing* dwellings
- 558 new *Retirement housing* dwellings
- 548 new places in Care and Nursing Homes

In addition, 1,213 new units of Housing for Older People will be needed - mainstream properties especially designed to be suitable for older people, around 14% of all housing approvals. This housing will be needed in all parts of the Borough in accordance with the distribution of older person households.

Sustainable Urban Extensions will provide a suitable location for *Extra-care housing* and will have the capacity to accommodate schemes of sufficient size to be sustainable. Strategic Policy 7 therefore requires that they make provision for an appropriate amount of *Extra-care housing*.

The Council encourages the provision of market housing flats in Burton through the conversion of existing buildings and on town sites. The Council welcomes institutional investment in this type of development to create *Market housing for rent*. The preferred type of flatted development elsewhere, apart from flats for older people, is the Duplex/Tyneside Flat so that flats externally resemble houses.

## STRATEGIC POLICY 16

### Meeting Housing Needs

Proposals to develop *Extra-care housing* and *Retirement housing* on suitable sites will be welcomed.

Inclusion of an appropriate number of *Self-build* Plots within developments will be welcomed.

## STRATEGIC POLICY 17

### Affordable housing

Extra-care developments are expected to include Affordable housing alongside market housing in accordance with identified need, subject to the availability of funding including funding via the Council from commuted sums.

### 4.2 Extra-care housing

4.2.1 *Extra-care housing* means dwellings suitable for individual households with varying care needs which are clustered together along with communal facilities and where care and support services are provided so that people remain in their own home as their care needs increase.

4.2.2 The SHMA has assessed that an additional 965 Extra-care dwellings are needed between 2012 and 2031. The Council therefore welcomes proposals to develop Extra-care on suitable sites.

4.2.3 A significant proportion of the need for *Extra-care housing* should be met on the Sustainable Urban Extensions (SUEs) identified in the Local Plan – see [6.2 Sustainable Urban Extensions](#).

4.2.4 Other locations suitable for *Extra-care housing* will be those within easy walking distance of the additional services residents will most need in order to live independently:

- Shops to meet daily needs
- Cash dispenser or bank/post office
- Public transport

4.2.5 The identified need is for 18% of *Extra-care housing* to be rented *Affordable housing*, 33% to be shared ownership housing and 49% to be market housing for sale. The Council's strong preference is for schemes which provide an integrated mix of all three tenures alongside each other. *Extra-care* developments are therefore expected to include *Affordable housing* alongside market housing in accordance with identified need, but this is subject to the availability of funding; developers of *Extra-care housing* are not required to provide affordable *Extra-care housing* without grant.

4.2.6 Developers are expected to explore the availability of Government funding, and the Council may be able to provide grant funding from commuted sums; the Council will look to fund schemes which provide an appropriate mix of tenures. Applicants therefore need to discuss proposed *Extra-care housing* with the Council at the earliest opportunity, before making a planning application.

4.2.7 *Extra-care housing* should be designed in accordance with [3.2 Specialised accommodation for older people](#).

### 4.3 Retirement housing

4.3.1 *Retirement housing* means dwellings which are specifically designed for and sold to individual older person households, which are clustered together with communal facilities, and where occupiers are provided with and required to pay for age-related services.

4.3.2 The SHMA has assessed that an additional 558 *Retirement housing* dwellings are needed between 2012 and 2031. The Council therefore welcomes proposals to develop *Retirement housing* on suitable sites.

4.3.3 Locations suitable for *Retirement housing* will be those within easy walking distance of the services residents will most need in order to live independently:

- Shops to meet daily needs
- Primary health care
- Pharmacy
- Cash dispenser or bank/post office
- Public transport

4.3.4 There is no *Affordable housing* requirement from *Retirement housing*.

4.3.5 *Retirement housing* should be designed in accordance with [3.2 Specialised accommodation for older people](#).

#### 4.4 **Self-build**

4.4.1 *Self-build* housing, also called Custom-build housing, is housing which an individual household or group of households builds itself or more commonly has built (by a builder) to a design that it chooses, for it to then live in.

4.4.2 *Self-build* housing is an important element of the Government's housing strategy because self-build can contribute towards housing delivery and economic growth. The Government therefore wants to see an increase in the amount of land made available for *Self-build* plots.

4.4.3 The Council encourages the inclusion of a suitable number of *Self-build* plots within housing developments to provide an opportunity for residents to choose their own design of home and to foster innovation and diversity in housing design.

4.4.4 The Council expects Sustainable Urban Extensions to provide an appropriate proportion of *Self-build* plots.

4.4.5 To specifically encourage the provision of smaller *Self-build* plots which will be more affordable than larger plots and hence accessible by a wider range of households, there is no *Affordable housing* requirement from *Self-build* plots of up to 250 square metres in size, provided that the housing must be built by a builder who is unrelated to the seller of the land.

4.4.6 An *Affordable housing* contribution is required from *Self-build* plots over 250 square metres in size.

#### 4.5 **Market housing for rent**

4.5.1 *Market housing for rent* means a cluster of dwellings which will be sold to and remain in the ownership of an Institutional Investor or Registered Provider of Social Housing and be let as individual dwellings to individual household occupiers at market rents for at least 10 years following completion.

4.5.2 An Institutional Investor means a pension fund, mutual fund, money manager, insurance company, investment bank, commercial trust, endowment fund or hedge fund which is investing clients' monies.

4.5.3 The Council encourages the development of *Market housing for rent*, particularly by the conversion of non-residential buildings in Burton where this complies with other policy objectives.

4.5.4 There is no Affordable housing requirement from Market housing for rent.

#### 4.6 **Housing for older people**

4.6.1 The SHMA identifies the need for mainstream *Housing for older people*. This means bungalows and houses which are specifically designed for older people including a level access or low threshold shower, but which are sold freehold and hence without any restriction on occupation or requirement to pay service charges.

4.6.2 Hence the essential defining characteristic of this housing is that it is designed to be suitable for and therefore attractive to older person households. Applicants will therefore need to demonstrate how the relevant properties have been so designed. Applicants may have carried out their own market research to ascertain what features older person households want.

4.6.3 Many older person households are expected to want to *downsize* to housing with fewer rooms and more manageable gardens. Hence Housing for older people shall have 2 bedrooms unless an applicant provides evidence demonstrating a demand for more bedrooms. However this does not necessarily mean small dwellings; it may mean larger than average sized rooms, and a large bathroom including a bath as well as an accessible shower.

4.6.4 The Council expects that a significant proportion of this provision will be provided as bungalows. Sites required to provide 6 or more such dwellings are expected to provide at least half as bungalows.

#### 4.7 **Flats**

4.7.1 The Council encourages the provision of market housing flats in Burton through the conversion of suitable existing buildings where this complies with other policy objectives. Flats may also be appropriate on suitable sites within the existing built-up area. The Council welcomes institutional investment in this type of development to create *Market housing for rent*.

4.7.2 The preferred type of flatted development elsewhere, apart from flats for older people, is the Duplex/Tyneside Flat so that flats externally resemble houses. This means one flat on the ground floor and one flat above, each with its own front door to the outside of the building.

## 4.8 Traveller Pitches

- 4.8.1 *Traveller pitches* means pitches for the siting of caravans for residential occupation by *Gypsies and Travellers* or *Travelling Showpeople*, together with ancillary development eg amenity blocks and, where applicable, business use.
- 4.8.2 *Gypsies and Travellers* means persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently.
- 4.8.3 *Travelling showpeople* means members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently.
- 4.8.4 Any number of *Traveller pitches* makes a *Site for Gypsies, Travellers and Travelling Showpeople*. These sites are a type of residential development. However in accordance with national guidance, specific criteria have been determined to reflect the special characteristics of such development, as detailed on the next page.

## **STRATEGIC POLICY 19**

### **Sites for Gypsies, Travellers and Travelling Showpeople**

In assessing the suitability of sites for residential and mixed use occupation by Gypsies, Travellers and Travelling Showpeople, and for the purposes of considering planning applications for such sites, proposals will be supported where the following criteria are met:

- The site affords good access to local services including schools;
- The site is not at risk of flooding or adjacent to uses likely to endanger the health of occupants such as a refuse tip, sewage treatment works or contaminated land;
- The development is appropriate in scale compared to the size of the existing settlement;
- The development will be able to achieve a reasonable level of visual and acoustic privacy both for people living on the site and for those living nearby;
- The development will provide a high quality frontage onto the street which maintains or enhances the street scene and which integrates the site into the community;
- The development will be well-laid out to provide adequate space and privacy for residents;
- The development complies with relevant national planning policies;
- The development complies with the other relevant policies in this Plan.

If and when a need is identified, the Council will set pitch targets and/or plot targets accordingly and will identify a site or sites to meet the need through a Development Plan Document as necessary.

4.8.5 It is expected that many sites within settlement boundaries will meet these criteria and hence be suitable.



4.8.6 In particular, it may be appropriate to include plots for use as *Traveller pitches* on suitable strategic sites. If the Council identifies a need for additional *Traveller pitches* it may require inclusion of pitches on particular strategic sites including Sustainable Urban Extensions.

4.8.7 *Traveller Pitches* for permanent occupation can also be approved on Rural Exception Sites in accordance with [Chapter 7 Rural Exception Sites](#).

4.8.8 There is no *Affordable housing* requirement from *Traveller pitches*.

## 5. Affordable housing

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## 5.1 Affordable housing policy

### STRATEGIC POLICY 17

#### Affordable housing

Market housing led residential development that will provide 4 or more dwellings or on a site of 0.14 hectares or more shall provide up to 40% of the dwellings as Affordable housing.

- The amount of Affordable housing required from an individual scheme will be the percentage specified in the Housing Choice SPD or the amount which is evidenced by an applicant to be viable. To do this an applicant will need to submit their development appraisal and supporting evidence to the Council on an open book basis and to fund the Council's costs of assessing this.
- Planning permission will be subject to agreement to provide that amount of Affordable housing, and on schemes providing less than 40% and likely to be developed in phases over the longer term to agreement of a suitable mechanism to increase the amount of Affordable housing provided over time if viability improves.
- Affordable housing is not required from Self-build Plots of up to 250 square metres in size, from Retirement housing, or from Market housing for rent.

Residential development on a site which is outside a settlement boundary but permitted in accordance with a made neighbourhood plan shall provide an amount of Affordable housing determined as above, or the amount required by the neighbourhood plan if greater.

Affordable housing led residential development will be welcomed but shall not normally provide more than 25 affordable rented dwellings except for Extra-care housing and housing for allocation to older people.

On site Affordable housing shall be provided as follows:

- Affordable housing will normally be provided on each phase of a development.
- The mix on Burton, Uttoxeter and Tier 1 settlement developments shall be agreed with the Council based on the need identified in the Housing Choice SPD.
- The mix on other developments shall be agreed with the Council based on the housing needs survey carried out in accordance with Housing Choice SPD.
- In accordance with the definitions in the Housing Choice SPD.

## 5.2 Affordable housing definitions

5.2.1 The SHMA identifies the need for *rented* and *intermediate Affordable housing*. In order to meet local need this means the following tenure types.

5.2.2 Most of the *rented Affordable housing* in the Borough is now let by Housing Associations at what is called *Affordable Rent* of up to 80% of market rent under the Government's *Affordable housing* Programme. Given this fact, it makes little sense to require brand new *Affordable housing* to be let at lower *Social Rent* levels. *Affordable Rent* also assists Housing Associations to make further housing investment. However Registered Providers wanting to charge *Affordable Rent* must have the agreement of the Homes & Communities Agency, so some providers may wish to charge *Social Rent*.

5.2.3 The *rented Affordable housing* sought by the Council under S106 is therefore *Affordable Rented* or *Social Rented* housing. This means housing which meets the Housing Corporation's Design and Quality Standards (or replacement standards) and which is let by a Registered Provider of Social Housing to a person allocated that Dwelling in accordance with the Council's Allocation Scheme at an *Affordable Rent* including service charges of no more than 80% of the local market rent or at a *Social Rent* determined under the national rent regime (Rent Influencing Guidance).

5.2.4 The *intermediate Affordable housing* sought by the Council under S106 is *Shared Ownership* housing and *Discounted Sale* housing as defined below. These definitions are in line with the National Planning Policy Framework and are designed to ensure that intermediate housing meets local need given prices and wages.

5.2.5 *Shared Ownership* housing means housing which shall be occupied by eligible persons on a part rent/part sale basis under a lease containing the Homes and Communities Agency Fundamental Clauses where the initial annual rent is not more than 3% of the balance of the capital value. An eligible person is a person for whom the dwelling is suitable who is unable to afford to buy the home outright. In order to meet need, initial purchasers of *Shared Ownership* housing must be allowed to buy any amount from 25% to 45%. Further obligations in respect of *Shared Ownership* housing will be set out in the S106 *Affordable housing* Schedule.

5.2.6 *Discounted Sale* housing means housing which is sold in perpetuity to an eligible person for their occupation at not more than 60% of the open market value. An eligible person is a person for whom the dwelling is suitable who is unable to afford to buy the home at 100% of open market value. Further obligations in respect of *Discounted Sale* housing will be set out in the S106 *Affordable housing* Schedule.

5.2.7 *Rented Affordable housing* has to be built by or transferred to a Registered Provider of Social Housing. Applicants are strongly encouraged to contact Registered Providers at the earlier opportunity to discuss the proposed *Affordable housing*. The Council welcomes investment from any Registered Provider, but the Housing Strategy Team will be pleased to supply contact details for Registered Providers already operating in the Borough on request.

5.2.8 *Rented Affordable housing* needs to be affordable to households relying on Government housing benefits. Under benefit rules, couples are entitled to a 1-bedroom home, many households with 2 children are only entitled to 2-bedrooms, and households are typically only entitled to 4-bedrooms if they have 4 or more children. Hence 2-bedroom homes need to accommodate 4 people and 4-bedroom homes need to accommodate at least 6 people.

5.2.9 The need for *intermediate Affordable housing* can also be met by *rented Affordable housing*, and *rented Affordable housing* may therefore be provided in place of *intermediate Affordable housing* if that is what an applicant and a Registered Provider agree.

5.2.10 *Rented Affordable housing* provided under S106 has to be allocated in accordance with the Council's allocation scheme. Registered Providers acquiring or building rented housing will be asked and expected to enter into an agreement to allocate 100% of true voids through the local choice based lettings scheme.

### 5.3 **Affordable housing threshold**

5.3.1 The threshold for *Affordable housing* is sites providing 4 or more dwellings or of 0.14 hectares (1400 sq m) or more in size.

5.3.2 *Market housing led residential developments* above this threshold will be required to provide the amount of *Affordable housing* specified in [Table 1](#) below, up to a maximum of 40%. *Market housing led residential developments* means residential developments of predominantly market housing, as opposed to *Affordable housing led developments* which are developments of entirely or predominantly *Affordable housing*.

## 5.4 Mainstream dwellings

5.4.1 *Affordable housing* is required as a percentage of the maximum number of *mainstream dwellings* to be built on a site.

5.4.2 *Mainstream dwellings* means all dwellings (Use Class C3) except for the following types:

- a) Dwellings to be built on [Self-build](#) plots of up to 250 square metres in size.
- b) [Retirement housing](#)
- c) [Extra-care housing](#)
- d) [Market housing for rent](#)

5.4.3 These exceptions are subject to agreement of the appropriate planning obligation to ensure that dwellings conform to the definitions in Chapter 4 above. It is therefore helpful for inclusion of these types of dwelling to be identified at outline application stage, although the S106 agreement can be amended if these types of dwelling are subsequently included at Reserved Matters stage.

5.4.4 These exceptions provide an incentive for applicants to deliver these types of housing since they reduce the amount of *Affordable housing* that needs to be provided.

## 5.5 Affordable housing requirement

5.5.1 The amounts of *Affordable housing* required from developments above the threshold are as follows:

**Table 1: Affordable housing requirement**

Type of land	Normal requirement (% of <i>mainstream dwellings</i> )	Exceptions
<a href="#">Qualifying Urban Brownfield Land</a>	Amount determined by <a href="#">5.9 Development appraisal</a> <ul style="list-style-type: none"> <li>• 13% on-site</li> <li>• Balance commuted</li> </ul>	Default 25% <a href="#">5.11 Existing approvals and Extensions</a>
<a href="#">Other Urban Sites</a>	33% <ul style="list-style-type: none"> <li>• 13% on-site</li> <li>• 20% commuted</li> </ul>	<a href="#">5.9 Development appraisal</a> <a href="#">5.11 Existing approvals and Extensions</a>
<a href="#">Other Sites</a>	40% <ul style="list-style-type: none"> <li>• Up to 40% on-site</li> <li>• Balance commuted</li> </ul>	<a href="#">5.9 Development appraisal</a> <a href="#">Chapter 7 Rural Exception Sites</a> <a href="#">5.8.3 Neighbourhood Plan sites</a>

5.5.2 The requirements shown above have been set at levels which maximise the delivery of *Affordable housing* towards need but which the Viability Study shows are unlikely to threaten the viability of sites or deter investment in housing.

5.5.3 The relevant percentage is applied to the maximum number of *mainstream dwellings* for which planning permission will be granted to give a number of *Affordable housing* dwellings (including fractions thereof).

5.5.4 Applicants are reminded that the maximum number of *mainstream dwellings* will need to be consistent with the mix of market and affordable dwellings required on the site - see [Chapter 6 Housing Mix](#) - alongside any other types of development and open space requirements.

- 5.5.5 The amount of *Affordable housing* will normally include both on-site and off-site provision. There is an identified need for on-site *Affordable housing* in Burton and Uttoxeter, and expected to be a need for on-site *Affordable housing* elsewhere. However the Council has also identified the need and opportunity to address a proportion of housing need in other ways, for example by funding Extra-care *Affordable housing*, assisting households to buy market housing, enlarging housing to resolve overcrowding, or buying existing homes for *Affordable housing*. Some of these approaches can also help achieve the Council's ambition to see the regeneration of inner Burton. These needs and opportunities justify taking part of the *Affordable housing* requirement as a commuted sum.
- 5.5.6 *Affordable housing* commuted off-site in accordance with this document shall be at the rate of £40,000 per affordable dwelling. The total commuted sum in lieu of *Affordable housing* is then payable in four equal instalments prior to occupation of more than 20%, 40%, 60% and 80% of all *mainstream dwellings* on the development. Note that these provisions do not apply to contributions determined in accordance with the previous SPD because those determinations were based on different assumptions.
- 5.5.7 Planning permission will be subject to agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to provide the required number of *Affordable housing* dwellings (the on-site amount) and amount of money (the commuted sum). Hence these will be fixed at outline approval stage; however the S106 agreement will allow that this can be revised with the written agreement of the Council as necessary.
- 5.5.8 On developments providing less than 40% and likely to be developed in phases over the longer term, planning permission will also be subject to agreement of a suitable mechanism to increase the amount of *Affordable housing* provided over time if viability improves - see [5.10 Review Mechanism](#).
- 5.5.9 On developments to be delivered in more than one phase, the Section 106 Agreement will deal with how on-site *Affordable housing* will be distributed between phases. *Affordable housing* will normally need to be included in every phase, and its distribution will need to avoid a concentration in any one phase.



## 5.6 Requirement from Qualifying Urban Brownfield Land

5.6.1 Qualifying Urban Brownfield Land means *previously developed land*<sup>3</sup> which is within the built up areas of Burton and Uttoxeter and which has a viable permissible use apart from housing. Applicants are encouraged to talk to the Council's Development Control team to establish whether a site qualifies.

5.6.2 The cost of developing Brownfield sites varies enormously, and this means it is impossible to predict the viability of any particular site. Hence viability can only be assessed by a site-specific development appraisal. The Council therefore invites applicants to submit their development appraisal so that the viable amount of *Affordable housing* can be determined; see [5.9 Development appraisal](#). The amount of *Affordable housing* required will then be the amount that is viable up to 40%.

5.6.3 However if an applicant chooses not to do this, the default requirement for urban Brownfield sites is 25% *Affordable housing*, this being the average requirement for *Affordable housing* over the plan period.

5.6.4 13% of dwellings shall normally be provided as on-site *Affordable housing* (if that amount is viable). This percentage is applied to the total (maximum) number of *mainstream dwellings* on the site. The resulting number is then rounded up to the nearest whole number to give the number of on-site *Affordable housing* dwellings required. The balance of the *Affordable housing* required can be commuted off-site.

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<sup>3</sup> Land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-development but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time. (NPPF)

*Example: A site of 80 mainstream dwellings is shown by development appraisal to be able to provide 22% affordable housing.*

- *80 x 22% = 17.6 dwellings.*
- *80 x 13% = 10.4 rounded up to 11 dwellings to be provided on-site.*
- *17.6 – 11 = 6.6 dwellings commuted off-site.*
- *6.6 x £40,000 = £264,000 commuted sum.*
- *£264,000 / 4 = £66,000 equal instalments*
- *80 – 11 = 69 mainstream market dwellings*
- *Instalments payable before occupation of more than 14, 28, 42 and 55 market dwellings*

5.6.5 If a site includes some Qualifying Urban Brownfield Land and some other land, the *Affordable housing* requirement from each area of land will normally be calculated separately.

5.6.6 The mix of on-site *Affordable housing* will be determined by the Council based on the following:

**Table 2: On-site Affordable housing mix**

	Burton sites	Uttoxeter sites
1-bedroom 2-person <i>rented</i> flats or houses	30%	20%
2-bedroom 4-person <i>rented</i> houses	50%	35%
4-bedroom 6-person <i>rented</i> houses	20%	10%
1 or 2-bedroom <i>intermediate</i> flats or houses		25%
2-bedroom 4-person <i>intermediate</i> houses		10%

5.6.7 [Chapter 6 Housing mix](#) shows these percentages applied to 13% on-site *Affordable housing*.

## 5.7 Requirement from Other Urban Sites

5.7.1 Other Urban Sites means Greenfield sites within and on the edge of Burton and Uttoxeter, including urban extensions, plus previously developed land within Burton and Uttoxeter which does not have a viable permissible use apart from housing.

5.7.2 The *Affordable housing* requirement on these sites is 33%.

5.7.3 The normal requirement is for 13% of dwellings to be provided as on-site *Affordable housing*. This percentage is applied to the total (maximum) number of *mainstream dwellings* on the site. The resulting number is then rounded up to the nearest whole number to give the number of on-site *Affordable housing* dwellings required. The balance of the *Affordable housing* (around 20%) can be commuted off-site.

*Example: A site will deliver up to 190 mainstream dwellings.*

- $190 \times 33\% = 62.7$  dwellings.
- $190 \times 13\% = 24.7$  rounded up to 25 dwellings to be provided on-site.
- $62.7 - 25 = 37.7$  dwellings commuted off-site.
- $37.7 \times \text{£}40,000 = \text{£}1,508,000$  commuted sum
- $\text{£}1,508,000 / 4 = \text{£}377,000$  equal instalments
- $190 - 25 = 165$  mainstream market dwellings
- Instalments payable before occupation of more than 33, 66, 99 and 132 market dwellings

5.7.4 The mix of on-site *Affordable housing* will be determined by the Council based on the following:

**Table 3: On-site Affordable housing mix**

	Burton sites	Uttoxeter sites
1-bedroom 2-person rented flats or houses	30%	20%
2-bedroom 4-person rented houses	50%	35%
4-bedroom 6-person rented houses	20%	10%
1 or 2-bedroom intermediate flats or houses		25%
2-bedroom 4-person intermediate houses		10%

5.7.5 [Chapter 6 Housing mix](#) shows these percentages applied to 13% on-site *Affordable housing*.

## 5.8 Requirement from Other Sites

5.8.1 This includes sites in and on the edge of villages.

5.8.2 The *Affordable housing* requirement on these sites is 40%.

5.8.3 However residential development on a site which is outside a settlement boundary but permitted in accordance with a made neighbourhood plan shall provide the amount of *Affordable housing* required by the neighbourhood plan if greater.

5.8.4 The amount and mix of *Affordable housing* to be provided on-site will be determined as follows:

- a) For sites within the settlement boundaries of the Strategic Villages of Barton under Needwood, Rocester, Rolleston on Dove and Tutbury, the Council will advise on request what proportion of provision needs to be provided on-site and what proportion can be commuted off-site. It will do this having considered evidence of local unmet need, including the Housing Register, existing *Affordable housing* stock, and any local housing needs surveys. An applicant who disagrees with the Council's decision can carry out and provide the results of a housing needs survey to demonstrate that a different amount of on-site provision is needed – see [Chapter 8 Evidencing need](#).
- b) For sites elsewhere in the Borough, all applications for housing development at or above the *Affordable housing* threshold must be accompanied by the results of a housing needs survey which will demonstrate the amount and mix of *Affordable housing* required to meet local need – see [Chapter 8 Evidencing need](#). These sites shall then provide that amount of *Affordable housing on-site* (up to 40%), with the balance commuted off-site.

*Example: A site in a Tier 2 village will deliver 18 mainstream dwellings. The housing needs survey shows a need for 5 Affordable housing dwellings to meet local need.*

- $18 \times 40\% = 7.2$  dwellings.
- 5 Affordable housing dwellings will be provided on-site.
- $7.2 - 5 = 2.2$  dwellings commuted off-site.
- $2.2 \times \text{£}40,000 = \text{£}88,000$  commuted sum
- $\text{£}88,000 / 4 = \text{£}22,000$  equal instalments
- $18 - 5 = 13$  mainstream market dwellings
- Instalments payable before occupation of more than 3, 5, 8 and 10 market dwellings

## 5.9 Development appraisal

5.9.1 Any applicant can choose to submit their development appraisal and supporting evidence on an open book basis, and agree to fund the Council's costs of assessing this, in order to evidence what package of obligations is viable, including *Affordable housing*.

5.9.2 Development appraisal means an appraisal of the cost and value of the development.

- a) The cost of the development will include the value of the site, the cost of building the mainstream housing (market and affordable), the cost of preparing plots for other uses, the cost of CIL, planning conditions, and planning obligations required by the Council, reasonable development profit, and marketing, sales and financing costs.
- b) The value of the site will take into account the current value of the site given its existing use and any realistic alternative use (apart from housing) to determine the price for which a reasonable landowner would be willing to sell, with undevelopable land, planning requirements and abnormal development costs reducing that price. If a developer has paid a higher price, then this is at their risk and will deliver reduced profit. Indicative land values from the Viability Study are as follows:

Small edge of village sites:	£240,000 / ha (exception sites) to £360,000 / ha (other sites)
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Other Greenfield land:	£236,000 / ha (large sites) to £330,000 / ha (smaller sites)
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Qualifying Urban Brownfield land:	Up to £444,000 / ha
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- c) Reasonable development profit will otherwise vary depending on the size and risk of the development.
- d) The value of the development will mean the market value of the mainstream housing and the market value of plots for any other uses.

5.9.3 Providing supporting evidence on an open book basis means providing sufficient information to verify costs and values. Where development has already been carried out on the site or by the developer on a nearby site, this will include evidence of the actual costs incurred and values achieved (excluding marketing incentives). Clear justification will be required if costs exceed evidence on standardised figures. Site specific evidence (cost estimates) should be provided by the applicant and benchmarked against comparable market evidence, where relevant. The Council undertakes to keep commercially sensitive information confidential to protect the applicant and developer's business interests.

5.9.4 The Council will provide on request an estimate of its costs to assess a development appraisal for a particular development and will advise the applicant of the revised estimated cost if this subsequently increases. The Council will only take account of an applicant's development appraisal if the applicant agrees to pay these costs and once the applicant has paid them to the Council.

5.9.5 Providing all necessary supporting evidence is provided and these costs are paid, the Council will use the development appraisal to determine the optimum package of obligations which can be provided. The Council will also consider whether this is sufficient to make the development acceptable and hence whether planning permission should be granted. The Council may suggest that the development be redesigned to increase value or reduce cost in order to optimise viability. The Council may also provide grant funding to make a greater amount of *Affordable housing* viable, or it may require an amount of *Affordable housing* subject to grant being secured.

5.9.6 Where the viable amount of *Affordable housing* on a development is shown by development appraisal to be less than the amount in [Table 1](#) (less than the default 25% on Qualifying Urban Brownfield Land), approval will be subject to two additional provisions:

- a) The time allowed for implementation of the planning permission will be shortened, unless the [5.10 Review mechanism](#) detailed below applies;
- b) Agreement of an Overage mechanism, so that where *mainstream dwellings* and plots for other uses are sold at a higher aggregate value than the value expected in the development appraisal, the developer shall pay to the Council 75% of the additional value as part of the *Affordable housing* contribution sufficient to bring the total *Affordable housing* contribution up to 40%.

## 5.10 Review mechanism

5.10.1 Planning permission for a site providing less than 40% *Affordable housing* and likely to be developed in phases over more than 3 years will be subject to agreement of a review mechanism to increase the amount of *Affordable housing* provided over time if viability improves. (Decrease in the amount of *Affordable housing* is already provided for by the Growth and Infrastructure Act).

5.10.2 An appropriate trigger point (or more than one on a large scheme which will be developed over many years) will be determined at which point the *Affordable housing* contribution from dwellings not yet completed will be recalculated as follows:

- a) If the applicant originally provided their development appraisal, they will be required to provide an updated development appraisal and this will be used to determine the amount of *Affordable housing* required from the remainder of the development. (The contribution from dwellings already completed will be subject to the Overage mechanism explained above).
- b) If the applicant did not originally provide their development appraisal, the amount of *Affordable housing* required from dwellings not yet completed will be Council's then current *Affordable housing* requirement from that type of development.

## 5.11 Existing approvals and Extensions

5.11.1 The Viability Study provides up to date evidence of the amount of *Affordable housing* that can be provided by sites. It indicates that some agreed sites for which no development appraisal was provided could afford to provide more than the amount already secured under previous policy. It is therefore appropriate to take this into account when considering the amount of *Affordable housing* to be provided by further phases of such development.

5.11.2 Hence this section explains the amount of *Affordable housing* required when:

- a) A development has planning approval and the amount of *Affordable housing* for the initial phase or phases was agreed, but not the total amount of *Affordable housing* from the development as a whole. The amount of *Affordable housing* required from a phase therefore needs to be determined when Reserved Matters application is made.

*Example: A development of 300 dwellings has outline approval. The S106 Agreement states that the first 100 dwellings (phase 1) shall provide 15% Affordable housing but that the amount of Affordable housing from subsequent phases will be determined at the time of Reserved Matters application.*

- b) Application is made for development which will extend a development already approved since April 2012 but prior to adoption of this document. Extension means further residential development on the same site or on adjacent land originally in the same ownership as the approved development which is accessed through the approved development.

*Example: A development of 100 dwellings was approved in July 2012. An extension is proposed that will provide a further 50 dwellings.*

5.11.3 The amount of *Affordable housing* in these cases is calculated as follows:

### Stage 1

The relevant percentage from [Table 1](#) is applied to the cumulative total number of *mainstream dwellings* on already agreed phases or approved development and the currently proposed phase or development. This gives the target amount of *Affordable housing*.

*Example: An urban extension development of 200 mainstream dwellings has already been approved. An extension will provide a further 100 mainstream dwellings. The target amount of Affordable housing is  $33\% \times (200 + 100) = 99$  dwellings.*





### Stage 2

The amount of on-site *Affordable housing* already agreed is multiplied by 1.27 to determine the equivalent value of on-site *Affordable housing* under this document. This is to reflect the fact that the on-site *Affordable housing* required under the previous SPD was more expensive to provide.

*Example continued: The approved development is providing 30 on-site affordable dwellings.  $30 \times 1.27$  equates to 38.1 affordable dwellings under this document.*



### Stage 3

The commuted sum already agreed is divided by £40,000 to determine the equivalent value of off-site *Affordable housing* under this document.

*Example continued: The approved development is also providing a commuted sum of £1m. £1m divided by £40,000 equates to 25 affordable dwellings under this document.*



### Stage 4

The sum of those two equivalent values is deducted from the target amount of *Affordable housing*. This is then the amount of *Affordable housing* required from the proposed phase or development, subject to a cap of 40% *Affordable housing* from the proposed phase or development.

*Example continued:  $38.1 + 25$  equals 63.1 equivalent affordable dwellings already secured.  $99$  minus  $63.1$  leaves 35.9 dwellings to be provided by the new development. This is 35.9% of the further 100 dwellings, and since this is less than 40%, this is the amount of *Affordable housing* required.*

5.11.4 An applicant can choose to provide their development appraisal to show that a smaller amount of *Affordable housing* is viable. In this case the development appraisal needs to be for the cumulative development, and hence to include both the proposed phase or development and already agreed phases/approved development.

## 5.12 **Affordable housing led development**

5.12.1 *Affordable housing led development* means residential development which is entirely or predominantly *Affordable housing*. Hence this is typically development carried out by or for Housing Associations.

5.12.2 The Council considers that an over-concentration of *rented Affordable housing for general needs* on any given site would endanger the site's integration into the wider community or forego the opportunity to increase the inclusivity and sustainability of the community. However *rented Affordable housing* which is *Extra-care housing* or specifically for older people enhances the inclusivity and sustainability of the community.

5.12.3 The Council therefore welcomes *Affordable housing led development* on a suitable site which provides up to 25 *rented Affordable housing* dwellings, or more than 25 *rented Affordable housing* if the extra dwellings are *Extra-care housing* or housing for allocation to older people. It therefore encourages *Affordable housing led development* which includes *Housing for older people* and also market housing and where applicable *intermediate Affordable housing*.

## 6. Housing mix

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## 6.1 Principles

### STRATEGIC POLICY 16

#### Meeting Housing Needs

Residential development in the main towns and Tier 1 settlements shall provide an appropriate mix of market housing based on the mix required in that part of the Borough, including Housing for Older People.

Residential development elsewhere shall provide the mix of market housing required to meet local need based firstly on a housing needs survey carried out in accordance with Housing Choice SPD and secondly on the mix required in that part of the Borough.

Developments will also provide Affordable housing in accordance with Strategic Policy 17

Developments shall be permitted on Exception Sites in accordance with Strategic Policy 18.

Different sizes and tenures of housing shall be fully integrated by means of dispersal around the site.

### STRATEGIC POLICY 17

#### Affordable housing

On site Affordable housing shall be provided as follows:

- The mix on Burton, Uttoxeter and Tier 1 settlement developments shall be agreed with the Council based on the need identified in the Housing Choice SPD.
- The mix on other developments shall be agreed with the Council based on the housing needs survey carried out in accordance with Housing Choice SPD.
- In accordance with the definitions in the Housing Choice SPD.
- Affordable housing shall be fully integrated by means of dispersal around the site in clusters of no more than eight dwellings.
- Affordable housing shall be externally indistinguishable from market housing on the same site.

6.1.1 New housing development needs to provide the right mix of types and sizes of housing in order to meet the needs and demands of the Borough's changing population.

6.1.2 The mix of housing on a particular site should meet particular local need, extend the choice of homes available in the local area, and contribute towards wider need as necessary. Residential developments must therefore provide an appropriate mix of housing as detailed below.

6.1.3 The maximum number of dwellings on a site will need to be consistent with the mix of market and affordable dwellings required on the site alongside any other types of development and open space requirements.

6.1.4 The Council wants new housing development to help create or maintain sustainable and inclusive mixed communities. To contribute towards this:

- a) Different sizes and tenures of housing need to be fully integrated by means of dispersal around a site;
- b) *Affordable housing* shall be dispersed around the site in clusters of no more than eight dwellings;
- c) *Affordable housing* shall be externally indistinguishable from market housing on the same site;
- d) *Affordable housing* will normally be provided on each phase of a development;
- e) Affordable housing led residential development to provide an appropriate mix of *Affordable housing* will be welcomed. Such developments shall not normally provide more than 25 rented *Affordable housing* dwellings, except for *Extra-care housing* and housing for allocation to older people.
- f) Sites for Gypsies, Travellers and Travelling Showpeople should be well integrated into existing communities, including pitches provided on residential development sites.

6.1.5 To make successful applications applicants need to consider these requirements at an early stage and to plan developments accordingly. A particular need on multi-phase developments is to plan the distribution of different types and sizes of housing across phases to achieve successful integration, which will need to be demonstrated to the Council at Reserved Matters stage.

## 6.2 Sustainable Urban Extensions

6.2.1 The SUEs provide a suitable location for *Extra-care housing* and will have the capacity to accommodate schemes of sufficient size to be sustainable. They are therefore required to make provision for an appropriate amount of *Extra-care housing*. An appropriate amount means at least 80 dwellings on the Major SUEs and at least 60 dwellings on the smaller SUEs. This requirement can be satisfied by identifying with the Council a suitable area of land for *Extra-care housing* and marketing this for sale at open market value to a provider of such housing. SUEs should be designed to ensure that *Extra-care housing* is situated in *Lifetime Neighbourhoods* which are:

- Accessible and inclusive;
- Aesthetically pleasing;
- Safe (in terms of both traffic and crime);
- Easy and pleasant to access; and
- Communities that offer plenty of services, facilities and open space.

6.2.2 The Council strongly encourages and expects SUEs to include an appropriate proportion of *Self-build* plots.

6.2.3 If there is a need for *Traveller pitches* the Council may also require that these be included on SUEs.

## 6.3 An appropriate mix of residential development

6.3.1 Sites may be suitable for *Extra-care housing*, *Retirement housing*, *Self-build* plots, *Traveller pitches*, or Care/Nursing homes. Proposals for and including these types of development will be welcomed. The Council may identify that a particular site should provide one or more of these types of accommodation. It may or may not do this with a Development Brief.

6.3.2 The proposed mix of residential development will therefore need to be discussed and agreed with the Council before outline application, and the actual mix will need to be negotiated and agreed with the Council before full application or application for Reserved Matters.

6.3.3 The mix of *mainstream* housing required in different parts of the Borough is specified in sections 6.4 to 6.7 below.

6.3.4 The mix of housing on a particular site needs to be *closely based on* the relevant required mix. It will therefore need to make an appropriate contribution towards the mix needed given the size and location of the site.

6.3.5 The required mix of market housing is the Council's assessment of likely *demand* for housing over the period 2012-2031. An applicant may have carried out their own research to identify current demand, and if this indicates that there is currently a lack of demand for a particular type of home, then the Council will take this into account.

6.3.6 Tables 4 and 5 include *Affordable housing*, but how this translates into actual number of dwellings will need to be agreed with the Council. The amount of *Affordable housing* shown is the amount required in accordance with this document. Where a different total amount of *Affordable housing* has already been agreed, that agreement takes precedence over the amount shown, but where the *mix of Affordable housing* has not been agreed, the Council will seek a mix based on the same proportions as shown.

6.3.7 Sites which cannot provide the full mix of housing required in the area will normally be expected to prioritise those types and sizes of dwelling which are most required.

#### 6.4 **Mix on Burton Sites**

##### Flats in Burton

6.4.1 The Council is keen to see redundant non-residential buildings in Burton converted into housing where this complies with other policy objectives. The types of dwelling provided are likely to be largely determined by the physical constraints of the building. It is expected that such developments are most likely to provide studio, 1-bedroom and 2-bedroom flats for singles and couples.

6.4.2 It is expected that conversions will provide most of the market housing flats needed in Burton. However other developments of flats are likely to be appropriate on some sites within the built-up area of Burton.

6.4.3 The Council is particularly keen to see *Market housing for rent* delivered in this way, in which case there is no *Affordable housing* requirement.

6.4.4 *Affordable housing* is required from developments of flats which are not *Market housing for rent*. The amount and mix of *Affordable housing* to be provided *on-site* will be negotiated given the types of dwelling which can be included, with the balance being commuted off-site.

Sites in Burton below the Affordable housing threshold

6.4.5 This means sites smaller than 0.14 hectares (1400 sq m) providing no more than 3 dwellings. The mix of housing on these sites will need to be suitable for the site.



Other Burton sites

6.4.6 The mix of mainstream housing required from other sites in different Burton wards/parishes is as follows.

**Table 4: Mainstream housing mix required on Burton sites**

	Branston Burton Eton Park Outwoods	Anglesey Shobnall Stretton	Horninglow	Brizlincote Stapenhill Winshill
<i>Affordable housing – 13%</i>				
1b2p <i>rented</i>	3.9%	3.9%	3.9%	3.9%
2b4p houses <i>rented</i>	6.5%	6.5%	6.5%	6.5%
4b6p houses <i>rented</i>	2.6%	2.6%	2.6%	2.6%
<i>Market housing – 87%</i>				
<i>Housing for Older People</i>	8%	20%	30%	60%
2-bedroom houses	13%	11%	10%	5%
3-bedroom houses	30%	26%	22%	10%
4-bedroom houses	25%	21%	18%	8%
5-bedroom houses	11%	9%	8%	4%

6.4.7 Smaller sites within the Burton urban area may be particularly appropriate for *Affordable housing led development*, including *rented Affordable housing* for older people in Anglesey, Eton Park, Shobnall and Stapenhill wards.

6.4.8 Developments of entirely *Housing for Older People* may be appropriate on smaller sites in Brizlincote, Stapenhill and Winshill, where this type of housing is particularly needed, whilst less than 60% *Housing for Older People* may be appropriate on larger sites in these wards.

6.4.9 Where a development of entirely *Housing for Older People* is appropriate the on-site *Affordable housing* can also be *Housing for Older People*.

## 6.5 Mix on Uttoxeter sites

### Sites in Uttoxeter below the Affordable housing threshold

6.5.1 This means sites smaller than 0.14 hectares (1400 sq m) providing no more than 3 dwellings. The mix of housing on these sites will need to be suitable for the site.

### Other sites in Uttoxeter

6.5.2 The mix of mainstream housing required from other sites in Uttoxeter is as follows:

**Table 5: Mainstream housing mix required on Uttoxeter sites**

<i>Affordable housing – 13%</i>	
1-bedroom 2-person (1b2p) <i>rented</i>	2.6%
2-bedroom 4-person (2b4p) houses <i>rented</i>	4.5%
4-bedroom 6-person (4b6p) houses <i>rented</i>	1.3%
1 or 2-bedroom flats/houses <i>intermediate</i>	3.3%
2-bedroom 4-person houses <i>intermediate</i>	1.3%
<i>Market housing – 87%</i>	
<i>Housing for Older People</i>	
1 or 2-bedroom flats or houses	20%
2-bedroom houses	7%
3-bedroom houses	26%
4-bedroom houses	17%
5-bedroom houses	8%

## 6.6 Mix in Tier 1 & 2 villages and on village neighbourhood plan sites

6.6.1 This section applies to village sites within settlement boundaries defined on Local Plan Inset Maps and to sites outside settlement boundaries but identified in a made Neighbourhood Plan.

### Strategic villages

6.6.2 The Strategic villages are the Tier 1 settlements of Barton under Needwood, Rocester, Rolleston on Dove and Tutbury.

6.6.3 For sites which are above the *Affordable housing* threshold, the amount of the *Affordable housing* requirement to be provided on-site and the mix of *Affordable housing* to be provided will be advised by the Council on request. The amount of on-site *Affordable housing* will not be more than 40%.

6.6.4 The mix of mainstream *market* housing required on these sites is as follows:

**Table 6: Mix of mainstream *market* housing required in Tier 1 settlements**

<i>Housing for Older People</i>	35%
1 or 2-bedroom flats or houses	22%
2-bedroom houses	6%
3-bedroom houses	23%
4-bedroom houses	10%
5-bedroom houses	4%

### Tier 2 and Tier 3 villages

6.6.5 A housing needs survey is needed before most development of new housing in Tier 2 and Tier 3 villages to identify what housing is needed locally so that the development can meet local need. A survey may already have been carried out to inform the Neighbourhood Plan.

6.6.6 The exceptions are that a housing needs survey is not needed for development within settlement boundaries or on a site identified in a made Neighbourhood Plan of:

- a) A single new dwelling of up to 100m<sup>2</sup> gross internal area (GIA) (including integral and attached garaging) on a site not larger than 350m<sup>2</sup>;
- b) Up to 3 dwellings of *Housing for Older People* each of up to 80m<sup>2</sup> gross internal area (GIA) (including integral and attached garaging).

6.6.7 A housing needs survey must have been carried out in accordance with [Chapter 8 Evidencing need](#). In respect of Outline approvals the survey will be needed to inform the *Affordable housing* requirement at outline approval stage and to inform the housing mix at the point of Reserved Matters application.

6.6.8 Development shall then firstly provide the dwellings required to meet the identified local need or as much of it as it is possible to meet on the site. Need for *Affordable housing* will be met first, up to the maximum 40% of dwellings or the Neighbourhood Plan maximum if higher, followed by housing for households with a real housing need, followed by housing for households wanting different housing.

6.6.9 If more dwellings can be provided on a site than those required to meet identified local need, the additional dwellings shall be the types of dwellings that are in short supply in the area to broaden the mix of housing and so provide opportunities for the types of household currently under-provided for.

6.6.10 The SHMA shows how the number of 3-bedroom houses in villages tends to fall as a result of homes being made larger, and this means that need for 4-bedroom homes is likely to be met by that route, leaving a greater need for new 3-bedroom homes.

6.6.11 In the absence of specific local evidence provided by the applicant or otherwise, this means that additional dwellings shall deliver (as far as possible) the following mix of *market housing* on the site as a whole excluding *Housing for Older People*:

**Table 7: Default mix of market housing (excluding *Housing for Older People*) required in Tier 2 and 3 villages**

1 or 2-bedroom flats or houses	48%
3-bedroom houses	52%

*Example: A site will provide 40 dwellings. The housing needs survey has identified a local need for 11 Affordable housing dwellings, 8 units of Housing for Older People and 9 x 2-bedroom homes.*

- *11 Affordable housing units is within the 40% maximum so is deliverable.*
- *The amount of market housing excluding Housing for Older People will be  $40 - 11 - 8 = 21$ .*
- *The local need for 9 x 2-bedroom homes amounts to 43% of 21, which is 5% lower than the mix in Table 5.*
- *Hence the appropriate mix of additional dwellings is:*
  - *$5\% \times 21 = 1 \times 2\text{-bedroom}$*
  - *$52\% \times 21 = 11 \times 3\text{-bedroom}$*

## **6.7 Mix on Rural Exception Sites**

6.7.1 Residential development on sites which are not within a settlement boundary or identified in a made Neighbourhood Plan will be subject to the provisions in [Chapter 7 Rural Exception Sites](#) which include provisions about mix.

## 7. Rural Exception Sites

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## 7.1 Principles

### STRATEGIC POLICY 18

#### Residential Development on Exception Sites

Where the Council is satisfied in the light of a evidence that there is need for new Affordable housing or Traveller pitches which will not otherwise be met, permission may be granted for a small development to specifically meet that need on a suitable site outside a settlement boundary provided that:

- Evidence of need is provided in accordance with the Housing Choice SPD;
- The development will specifically meet the assessed need;
- The site is within or on the edge of a settlement;
- The site is within easy reach of local services and facilities;
- The scale of development is appropriate given the size of the existing settlement;
- The majority of units (dwellings and pitches) provided on the site will be Affordable housing or Traveller pitches to meet the need. A minority of the units provided may deliver a mix of market housing that is appropriate to meet local need based firstly on a housing needs survey and secondly on other evidence of need in that part of the Borough;
- Permission will be subject to agreement of cascade arrangements to provide priority in perpetuity for local people;
- Occupation of Traveller pitches will be restricted to Gypsies, Travellers and Travelling Showpeople;
- Affordable housing will remain affordable in perpetuity.
- The development complies with other relevant policies in this Plan.

7.1.1 The rural exception sites policy enables the development of *Affordable housing* and *Traveller pitches* to meet local need in settlements where this cannot be achieved within settlement boundaries or no such boundary exists. Such development is an exception to the policy that most development will take place within settlement boundaries, and sites on which such development is permitted are therefore called rural exception sites.

7.1.2 To justify such development an applicant will firstly need to demonstrate the need for new *Affordable housing* or for *Traveller pitches* in accordance with [Chapter 8 Evidencing need](#).

7.1.3 Assessments of the need for housing and for *Traveller pitches* are independent of each other. Hence there is no need to assess the need for housing to justify development of *Traveller pitches*, and no need to assess the need for *Traveller pitches* to justify development of housing. However both assessments will be needed to justify development which includes both housing and *Traveller pitches*.

## 7.2 **Allowable development**

7.2.1 Where the Council is satisfied that need has been evidenced, permission may be granted for a small development to specifically meet that need on a suitable site outside a settlement boundary provided that:

- a) The development will specifically meet the assessed need. This means that the site will meet all the identified need if at all possible. Sites that only provide housing for family need will not be permitted (unless that is the only need identified) since the objective is to ensure that all housing need is met, not to benefit only those whose families own land;
- b) The site is within or on the edge of a settlement. This will normally mean adjacent to existing development which is clearly situated within a recognised Tier 3 village or adjacent to a Tier 1 or 2 village settlement boundary;
- c) The site is within easy reach of local services and facilities. This ideally means that there are services and facilities in the settlement or in a nearby settlement which are accessible without the use of a private motor vehicle. Weighing of this issue will consider the types of household for which development is proposed;



- d) The scale of development is appropriate given the size of the existing settlement. Appropriate scale means amounting to only a modest proportionate increase in the size of the settlement.

7.2.2 Exception site development is only justified by need for *Affordable housing* or for *Traveller pitches*. However the site may also provide a suitable mix of market housing provided a housing needs survey has been carried out and provided market housing amounts to less than 50% of units (dwellings and pitches).

7.2.3 The mix of *Affordable* and market housing provided will be in accordance with the need identified by the housing needs survey. Any additional market dwellings shall contribute towards the predominant need in villages for homes with 1, 2 or 3 bedrooms and each be no more than 90m<sup>2</sup> gross internal area (GIA) (including integral and attached garaging).

7.2.4 *Affordable housing* means housing as defined in [5.2 Affordable housing definitions](#).

7.2.5 The number of *Traveller pitches* allowed will not be more than the number shown to be needed in accordance with [8.5 Need for Traveller pitches on Rural Exception Sites](#).

7.2.6 To ensure integration into the community, *Traveller pitches* on Rural Exception Sites must provide permanent accommodation not transit accommodation. This means that the occupiers must be owner-occupiers or occupy under a long lease rather than a licence.

### 7.3 Occupation

7.3.1 To ensure that development on Exception Sites meets and continues to meet local need, permission for housing other than *rented Affordable housing* and permission for *Traveller pitches* will be subject to agreement of cascade arrangements to provide priority in perpetuity for local people. The cascade arrangements will be part of the S106 agreement and will continue to apply to the land in perpetuity.

7.3.2 The cascade arrangements will require that once built the homes or pitches shall firstly be offered to the households identified by the housing needs survey as having the need.

7.3.3 The cascade arrangements will also normally specify that for the first four weeks the home or pitch can only be sold or transferred to and occupied by a person who is local to the parish in which the site is situated. That for the following 9 weeks the home or pitch can only be sold or transferred to and occupied by a person who is local to the Housing Market Area as defined by the Council. That if no such occupier has been secured within 13 weeks, that the home or pitch can then be sold or transferred to a person who is not local.

7.3.4 The definition of 'local' can be agreed with the Council by the local Parish Council, or by the Community Land Trust developing the site. Failing that 'local' will normally be defined as being:

- a) Continuously resident in the parish/area for at least the last 5 years; or
- b) Having lived in the parish/area at some point for at least 30 years; or
- c) Previously a resident of the parish for at least 5 years and with family (parent, child, brother or sister) currently living in the parish/area; or
- d) Current or confirmed permanent employment in the parish/area; or
- e) Continuously resident in the parish/area for the last year and a need to remain living in the parish so that children can remain at their primary school.

7.3.5 The Council's Allocation Scheme will provide priority access to *rented Affordable housing* for local people.

7.3.6 Occupation of Traveller pitches will be restricted to *Gypsies and Travellers* and *Travelling Showpeople* who own the site or who occupy under a long lease.

## 8. Evidencing need

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## **8.1 Housing needs surveys**

8.1.1 Chapters 6 and 7 explain when a housing needs survey is needed to support an application for housing development outside the towns and Strategic Villages.

8.1.2 Experience has shown that survey results become obsolete within a few years. A valid survey will have been carried out (questionnaires returned) within 3 years of the date a valid full planning application or Reserved Matters application is made.

8.1.3 A housing needs survey will assess need in one or more civil parish council areas, with the Council needing to agree that the survey area is appropriate. The Council expects that all surveys will be carried out by or in cooperation with the relevant Parish Council(s).

8.1.4 To be acceptable evidence of need, a survey must involve a questionnaire being delivered to all dwellings and households living in the survey area giving them ample opportunity to respond saying why they need/want different or additional housing.

8.1.5 The Council's Housing Strategy Team will supply a model questionnaire on request and will be pleased to support Parish Councils and applicants with the assessment.

8.1.6 The Housing Strategy Team will in all cases need to see all the evidence including the returned questionnaires and justification for decisions, so that they can ensure that the assessment is robust, consistent and fair. They should therefore be involved at the earliest opportunity.

## **8.2 Surveys for Rural Exception Sites**

8.2.1 Surveys to justify housing development on a Rural Exception Site need to ask households living in the survey area:

- a) About their current housing
- b) Why their current housing has become inadequate for them
- c) What sort of other housing they need and why
- d) How long they have been living in the parish
- e) Why they need or want to remain living in the parish

- f) About their ability to meet their needs, in other words their level of savings, equity and income
- g) How long they can wait for suitable housing

8.2.2 Returned questionnaires then need to be assessed to determine whether housing within the survey area is justified:

- a) Whether households have a real need
- b) Whether they can wait until new housing can be built
- c) Whether at least one member of the household wanting housing has been habitually resident in the parish for the last 5 or more years
- d) Whether there is sufficient reason for them to remain living in the parish or local area

8.2.3 A household has a real housing need if their current home has become inadequate for them because:

- a) It is tied accommodation and the worker will reach retirement age within 5 years;
- b) It is too small as defined by Housing Benefit entitlement;
- c) It is unaffordable or unmanageable eg because it is too large;
- d) It does not provide a household member aged 21 with independent accommodation;
- e) It does not meet their needs because they have specific requirements eg disability;
- f) It requires repairs or improvement and they cannot afford the necessary works;
- g) They are being harassed in their accommodation;
- h) They need to move to be closer to employment;
- i) They need to move within the area to be able to receive or give care to a relative or dependant.

8.2.4 If households have an identified need for housing within the survey area, the questionnaires need assessing to determine:

- a) What type and size of housing the households need in accordance with [8.4 Housing Size](#).
- b) What tenure of housing they could afford

8.2.5 Need for housing in the survey area then needs to be assessed against likely supply of existing and new housing in the survey area, by considering:

- a) Whether any of the need can be met on sites within settlement boundaries;
- b) The existing housing stock in the area;
- c) The affordability of that housing;
- d) How often existing homes become available;
- e) What housing will be freed up by households moving to new housing.

8.2.6 This will identify how much and what mix of new housing is needed on a Rural Exception Site.

### 8.3 **Surveys for sites within village settlement boundaries**

8.3.1 Surveys to inform the mix of housing on a site within a settlement boundary or a site identified in a made Neighbourhood Plan need to ask households living in the survey area:

- a) About their current housing
- b) Why they want to move
- c) What sort of other housing they need/want and why
- d) Whether they need/want to remain living in the survey area
- e) About their ability to meet their needs, in other words their level of savings, equity and income

8.3.2 Returned questionnaires need to be assessed to identify what types and tenures of new housing are needed in the survey area. This needs to take account of:

- a) The existing housing stock in the area;
- b) The affordability of that housing;
- c) How often existing homes become available;
- d) What housing will be freed up by households moving to new housing.

8.3.3 Note that the threshold of need for this type of development is lower because the principle of development does not need to be justified. Hence need in this context includes local demand for market housing.

#### 8.4 **Housing size**

8.4.1 Number of bedrooms required in *rented Affordable housing* will be determined in accordance with entitlement under the Council's Housing Allocation Scheme or under Housing Benefit/Universal Credit depending on the circumstances of the particular household.

8.4.2 Number of bedrooms required in *intermediate Affordable housing* will be determined in accordance with entitlement under Government Help to Buy Shared Ownership.

#### 8.5 **Need for Traveller pitches on Rural Exception Sites**

8.5.1 "Travellers" in this context means *Gypsies and Travellers* and *Travelling Showpeople*.

8.5.2 Applicants wishing to evidence a need for Rural Exception Site development of *Traveller pitches* in the Borough need to contact the Council's Housing Strategy Team at the earliest opportunity. Each case will be assessed on its merits.

8.5.3 To demonstrate need for a *Traveller pitch or pitches* an applicant will need to do the following.

### Step 1

Show that the intended occupiers qualify as *Gypsies and Travellers* or *Travelling showpeople*.



### Step 2

Show that they (the intended occupiers) have a housing need. A Traveller household has a housing need if:

- a) It is a caravan dwelling household which has or will soon have no authorised site anywhere on which to reside (including if temporary permission is coming to an end);
- b) Its existing caravan site accommodation is overcrowded or unsuitable;
- c) It is a suppressed household including at least one person aged 21+ which has no pitch on which to set up a separate family unit;
- d) It is a household living in bricks and mortar housing which is overcrowded or unsuitable, including unsuitable by virtue of proven psychological aversion to bricks and mortar accommodation, which wishes to return to caravan dwelling.



### Step 3

Show that they have a connection to the area local to the proposed site. A connection may for example be established by current residence, habitual travel, work, schooling, family, or previous residence.



## 9. Appendix1: Evidence Base

### Specialised Housing

Figure 1: Need for Extra-care housing

	Total	Rented @ 24%	Leasehold @ 76%	
			Shared Ownership	Outright sale
Population 75+ 2031	16,406			
Required <i>Extra-care housing</i> @ 6.7%	1,099	264	334	501
Existing supply	134	90	15	29
Additional dwellings needed	965	174	319	472
Mix of additional dwellings	100%	18%	33%	49%

Source: Strategic Housing Market Assessment 2013 Figure 7.3

Figure 2: Need for Retirement Housing

Single/Couple Households 65+ 2031	19,987
Owner-occupiers @ 79%	15,790
<i>Retirement Housing</i> @ 5%	790
Existing dwellings	232
New dwellings required	558

Source: Strategic Housing Market Assessment 2013 Figure 7.6

Figure 3: Need for mainstream housing for older people

Single/Couple Households 65+ 2012	12,393
Single/Couple Households 65+ 2031	19,987
Additional Single/Couple 65+ Households	7,595
Owner-occupiers @ 79%	6,000
Movers @ 30%	1,800
Extra-care housing (apportioned)	317
Retirement housing (apportioned)	300
Total specialised housing	617
Households requiring mainstream housing	1,183

Source: Strategic Housing Market Assessment 2013 Figure 7.7

## Market Housing

1. The 2013 Strategic Housing Market Assessment (SHMA) has identified that the following mix of new mainstream market housing will be needed in different parts of the Borough over the plan period.

Figure 4: Assessed average requirement for mainstream market housing

	Burton	Uttoxeter	Tier 1	Other
1-bedroom flats or houses	3%	3%	2%	2%
2-bedroom Housing for Older People	12%	10%	35%	50%
2-bedroom houses	14%	8%	6%	5%
2-bedroom - other flats or houses	2%	20%	20%	17%
3-bedroom houses	32%	30%	23%	20%
4-bedroom houses	26%	20%	10%	6%
5-bedroom houses	11%	9%	4%	0%

Source: Strategic Housing Market Assessment 2013 Figure 9.22

2. The Tier 1 settlements – the *Strategic Villages* - are Barton under Needwood, Rocester, Rolleston on Dove and Tutbury.
3. This assessment is based on analysis of the projected change in the mix of household types within the Borough, compared to the existing mix of households and housing stock. It therefore assesses projected *demand* for market housing over the plan period.
4. The SHMA has also identified how much *Housing for Older People* is needed in Burton wards to meet the needs of ward residents, recognising that many older people will not move far from home. However Strategic sites will also need to meet the needs of people living in other wards who are prepared to move a short or a longer distance.

Figure 5: In-ward *Housing for Older People* requirement in Burton

Ward	Apportioned locally arising need	In-ward sites weighting	Need for in-ward provision	% of in-ward housing completions
Anglesey	42	42%	18	17%
Branston	79	42%	33	2%
Brizlincote	73	75%	55	54%
Burton	20	42%	9	1%
Eton Park	41	32%	11	2%
Horninglow	78	42%	33	32%
Shobnall	48	42%	20	20%
Stapenhill	74	75%	56	55%
Stretton	110	42%	46	23%
Winshill	87	75%	65	64%
Total	653	(53%)	346	(39%)

Source: Strategic Housing Market Assessment 2013 Figure 9.24

## Affordable housing

5. The SHMA has identified a need for over 40% *Affordable housing* from projected permissions, as follows:

Figure 6: Affordable housing need versus agreed supply supply

	All	Affordable housing	
Agreed	5,044	639	12.7%
Projected/need	8,596	2,122	24.7%
Outstanding	3,552	1,483	41.8%

Source: Strategic Housing Market Assessment 2013 Figure 8.31

6. The SHMA has also identified the overall mix of *Affordable housing* currently needed in different areas of the Borough as follows:

Figure 7: Affordable housing mix

	Burton	Uttoxeter	Other areas (Indicative)
1-bedroom rented flats or houses	30%	20%	10%
2-bedroom rented houses	50%	35%	20%
4-bedroom rented houses	20%	10%	10%
1 or 2-bedroom intermediate flats		25%	45%
2-bedroom intermediate houses		10%	15%

Source: Strategic Housing Market Assessment 2013 Figure 9.25

7. The Plan Viability Study and the SHMA identify that sites are likely to be able to provide the following amounts of *Affordable housing* in accordance with policy:
- Urban extension sites      35%
  - Rural Greenfield sites      40%
  - Brownfield sites              Variable amounts