

Affordable Housing Supplementary Planning Document



adopted 21 February 2012



Chiltern
District Council

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Executive Summary

Applicants and agents in particular need to read the SPD so that they know how the Council will practically interpret and apply the requirements of the affordable housing policies within the Core Strategy for Chiltern District Adopted 15 November 2011, hereafter referred to as the Core Strategy.

Please read this SPD before you agree to make transactions for land sales and purchases.

The Affordable Housing Supplementary Planning Document (the SPD) was adopted on the 21 February 2012. The SPD applies to new housing development in Chiltern District and it helps implement the Council's policies for affordable housing in the Core Strategy. These policies are concerned with the amount of affordable housing required on-site as part of market housing schemes (Policy CS8), financial contributions for affordable housing from small housing sites (Policy CS8), the mix of affordable housing tenure (Policy CS10) and the size requirements for affordable housing (Policy CS11). The policies are reproduced in Appendix 1 of this SPD. The Council expects that applicants and agents will factor in these affordable housing requirements as part of developing their initial plans for housing sites.

The introduction of the SPD (Chapter 1) describes the aims and scope of the document; its status in planning decision making; the significant need for affordable housing in Chiltern District and the current challenges in providing affordable housing.

The SPD contains information about the general procedures for planning applications involving affordable housing required by the Core Strategy policies. This can be found in chapters 2 – 6 of the SPD.

Chapters 2 and 3 cover the need to make early contact with the Council to discuss the Core Strategy affordable housing requirements. It includes contact details and website links for key contacts in the Council. The level of financial contribution required from small housing sites¹ in lieu of on-site provision is set out in Chapter 3 so that the requirements are made clear at the outset. This is £125 per square metre (sq m) of the gross internal area of each additional dwelling. The charge relating to financial contributions is one which has been recommended by the findings of the Affordable Housing Financial Contributions Study (November 2011) by Dixon Searle Partnership.

Chapter 4 relates to the consideration of planning applications involving affordable housing, including a reminder of Core Strategy policy requirements. It describes matters concerning viability and emphasises the need for applicants to supply the right type of information on viability to the Council.

¹ Sites of < 5 net new dwellings

Chapter 5 covers the Council's approach to unilateral undertakings and Section 106 legal agreements for affordable housing, including standard agreements / undertakings which are intended to make the planning application process clearer.

Chapter 6 explains what happens after a planning application involving affordable housing is determined. The procedures for collecting and monitoring financial contributions can be found here, together with the ways the Council will spend contributions to deliver more affordable housing throughout the District (set out in detail in Appendix 2). The Council will ensure that the process of how contributions are handled and spent is clear and transparent and readily accessible. Contributions will be spent on projects which will secure more affordable housing in the District. Contributions will be spent in a timely manner and handled efficiently. The Council will monitor and review the process closely so that value for money is secured (Chapter 7).

Chapter 1:

Introduction and Context

1.1 What is a Supplementary Planning Document and what is its Role in the Decision Making Process?

1.1.1 A Supplementary Planning Document (SPD) is a document which contains additional detail and guidance on how the local planning authority will interpret and apply specific policies in its Development Plan, such as the Core Strategy. An SPD itself cannot include new policies and is not part of the Council's Development Plan. While it does not form part of the Development Plan it will be a material consideration in the determination of planning applications.

1.2 Which Policies within the Core Strategy does the SPD relate to?

1.2.1 This SPD includes information for local communities, developers and providers of affordable housing (called Registered Providers (RPs)) about how the Council's will apply and interpret Core Strategy policies for affordable housing through the planning application process.

1.2.2 Affordable housing is housing whose cost is affordable in relation to either average/below average

incomes, or when compared to the price of general market housing³.

1.2.3 The delivery of affordable housing is an important part of the Council's planning policies in its adopted Core Strategy⁴ and this Supplementary Planning Document (SPD) will provide additional guidance on how the Council will bring these policies into effect. The Affordable Housing SPD relates to the following Core Strategy Policies:

Includes requirements for on-site affordable housing provision for sites of more than 5 net new dwellings and financial contributions for affordable housing on smaller sites.

Policy CS10 – Affordable Housing

Type:

Specifies the proportions of different affordable housing tenures where affordable housing is built on site.

Policy CS11 - Affordable Housing

Size:

Contains requirements for different sizes of affordable housing units depending on the size of the development site

NB: These policies are reproduced in Appendix 1².

² This SPD does not provide information on rural exceptions housing or on the scope of other planning obligations / infrastructure contributions. Please refer to Policies CS9 and CS31 of the Core Strategy for more information.

³ A more detailed definition of affordable housing is included in the glossary of this SPD.

⁴ Included as Appendix 1.

1.3 What are the Aims of the Affordable Housing SPD?

1.3.1 The aims of the SPD are:

- To aid effective implementation of the Core Strategy Affordable Housing policies
- To provide a clear direction to all parties on how to interpret these policies
- To guide applicants and developers/affordable housing scheme promoters on how to liaise with the Council and the information they must provide with a planning application to avoid a delay to decisions.

1.4 Why is Affordable Housing Needed?

1.4.1 The Core Strategy recognises that the provision of more affordable housing for the local community is an important priority for the Council. Part of the Vision for Chiltern to 2026 in the Sustainable Community Strategy⁵, and as adopted within the Core Strategy, refers to “*enough affordable housing to meet local needs and maintain our services and communities*”.

1.4.2 There is a well established need for affordable housing in Chiltern District. Up to 2026 it is estimated that as many as 272 affordable homes are needed each year to fully meet housing needs⁶. Whilst the Core Strategy recognises that it will be impossible to meet this need in full without large scale

release of the Green Belt, it still sets an ambitious target for the delivery of new affordable housing in the District up to 2026.

1.4.3 The Core Strategy is just part of the Council’s work to secure more affordable housing. Other key Council documents concerned with affordable housing are the Council’s Strategic Housing Framework (2011)⁷, the Buckinghamshire Strategic Housing Market Assessment (2008), and the Affordable Housing Action Plan (2007)⁸

1.5 Where does the SPD apply?

1.5.1 The SPD applies across the whole of Chiltern District. As set out in Core Strategy Policy CS8, the SPD relates to all new developments involving additional dwellings⁹. The number of additional new dwellings (net) which are proposed on a site is used within Policy CS8 to determine what level of affordable housing is required. This SPD will apply to re-negotiations of Section 106 agreements which might be proposed after the date that the Core Strategy was adopted [15 November 2011].

1.5.2 In cases where a planning application is submitted seeking an amendment to a development

⁷ The Council’s Strategic Housing Framework is reviewed and updated annually.

⁸ At November 2011 the Affordable Housing Action Plan is in the process of being updated.

⁹ These are defined as being within use Class C3 in the Town and Country Planning (Use Classes) Order 1987. For example this use Class (C3) covers houses, flats and dwellings for elderly people but not care homes or college halls of residence.

⁵

<http://www.chiltern.gov.uk/sustainablecommunitystrategy>

⁶ Buckinghamshire Strategic Housing Market Assessment (2008) table 9.21

proposal granted planning permission prior to adoption of the Core Strategy, the proposed amendment may fall to be considered against the provisions of Policy CS8. In these cases the Council, at its discretion, has decided the requirements of this policy will not be applied until after the 15 November 2012. This one year period provides a reasonable amount of time to ensure that applications for amendments are not delayed by the operation of the SPD.

1.5.3 For the avoidance of doubt schemes providing 100% affordable housing, including rural affordable housing schemes, will not be subject to additional requirements under Policy CS8.

1.6 The National Context: Housing and Planning Policy

1.6.1 One of the Government's key housing policy goals is to address affordable housing needs. The aim 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"*¹⁰.

1.6.2 There are challenges for the future and changes are being made to national housing and planning policy which will have a significant impact on the scope for new affordable housing. These include the creation of the affordable rent tenure¹¹, funding pressures and the possible role of planning obligations for affordable housing (in relation to the Community Infrastructure Levy - CIL). The government advises that

financial contributions towards the provision of affordable housing need to be robustly justified and contribute to the objective of creating mixed and balanced communities¹².

1.6.3 Chiltern District has particular circumstances which have an important effect on how new affordable housing is likely to be provided. The Council does not own any affordable housing stock but it is the Strategic Local Housing Authority responsible for identifying and addressing local housing needs. This includes legal requirements to operate the Housing Allocations Policy, which is the mechanism by which affordable housing is allocated, and to deliver homelessness advice and support. A number of Registered Providers are active in the District, owning and managing properties throughout the Council's area, in towns and villages. The District has very high land and property prices but the funding for new affordable housing provision is limited. The Government, through the Homes and Communities Agency (HCA) has significantly reduced the level of subsidy available to support new affordable housing in its latest Affordable Homes Programme for the 2011-15 period¹³. Most new affordable housing will come through the planning application process, with new affordable housing being built as part of new market housing schemes. This would involve legal agreements under Section 106 of the Town and Country Planning Act

¹⁰ PPS3 Housing June 2011 paragraph 9

¹¹ Introduced in PPS3 Housing June 2011 Annex B

¹² As indicated in PPS3 paragraph 29 (5th bullet) and draft NPPF paragraph 111.

¹³ Communities and Local Government and Homes and Communities Agency (2011) 2011-2015 Affordable Homes Programme – Framework

1990, often called Section 106 agreements. In these situations, the Government has made a clear

statement that it expects affordable housing to be delivered with no Government subsidy.

Chapter 2:

Overview of the Planning Application Process and the Requirements for Affordable Housing Provision

2.0.1 This Chapter contains information and guidance to applicants about the general procedures for planning applications which require the provision of or contribution to affordable housing.

2.0.2 Figure 1 sets out the key stages in the planning application process where the requirements of the affordable housing policies in the Core Strategy will need to be considered. This diagram will enable anyone involved in the planning application process to understand the detailed requirements of policies CS8, CS10 and CS11 of the Core Strategy and how the Council will seek to implement them. These stages are explained in more detail in Chapters 3 to 6.

2.0.3 The process in Figure 1 is designed to assist the swift determination of planning applications. Applications which do not follow this process or exclude

necessary supporting information are therefore likely to take longer to progress through the planning system.

2.0.4 Core Strategy Policies CS8, CS10 and CS11 are the cornerstone of this SPD and their broad requirements and how the policies relate to each other is summarised in Figure 2. Figure 2 is a quick reference guide to the policies and so the full text of the Core Strategy policies is included in Appendix 1.

2.0.5 A key principle to note in any application requiring affordable housing is that the Council, as stated in paragraph 10.5 of the Core Strategy, will assume that the costs of affordable housing provision stemming from the requirements in Policies CS8, CS10 and CS11 will have been taken into account when an applicant purchases land for housing.

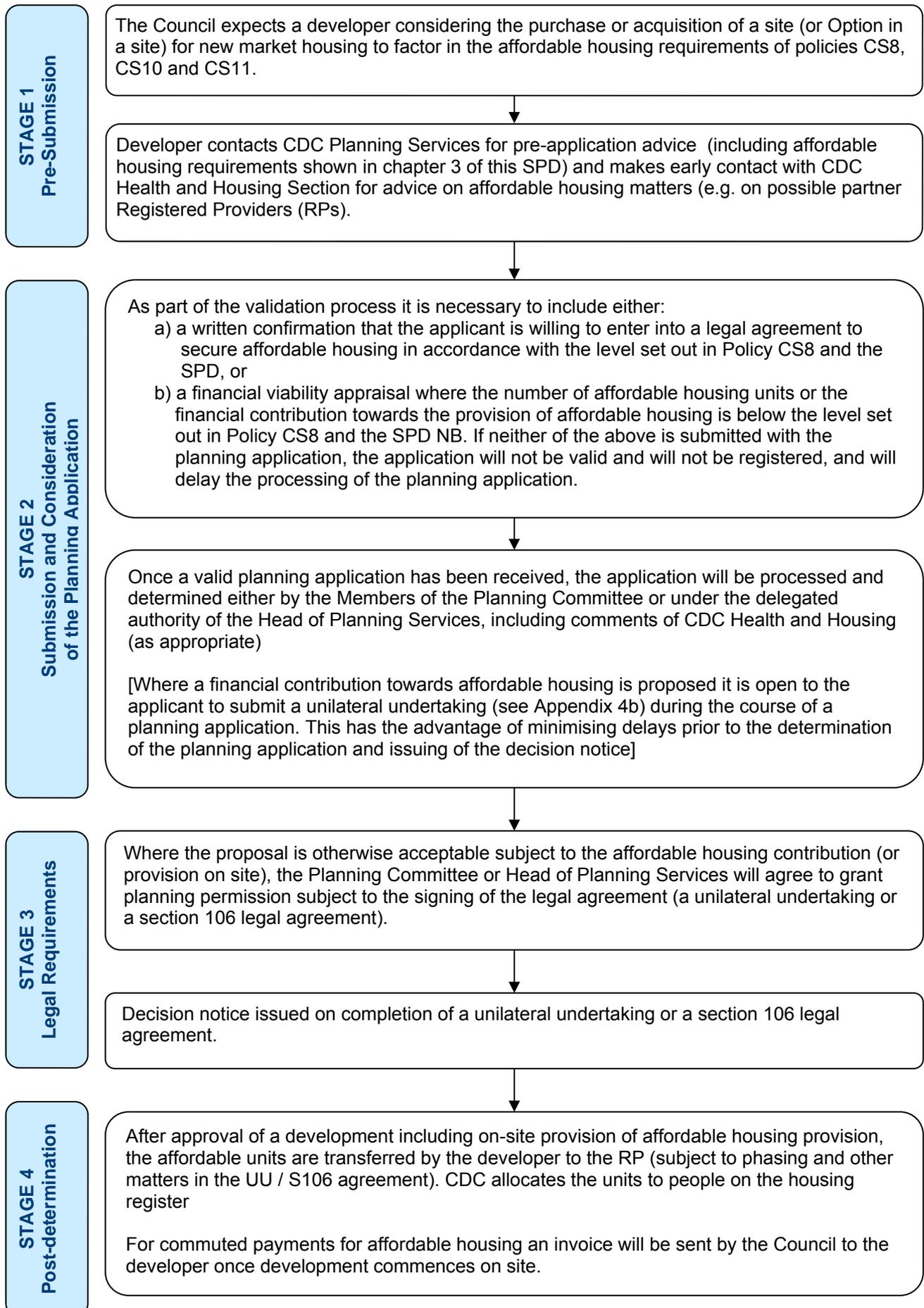
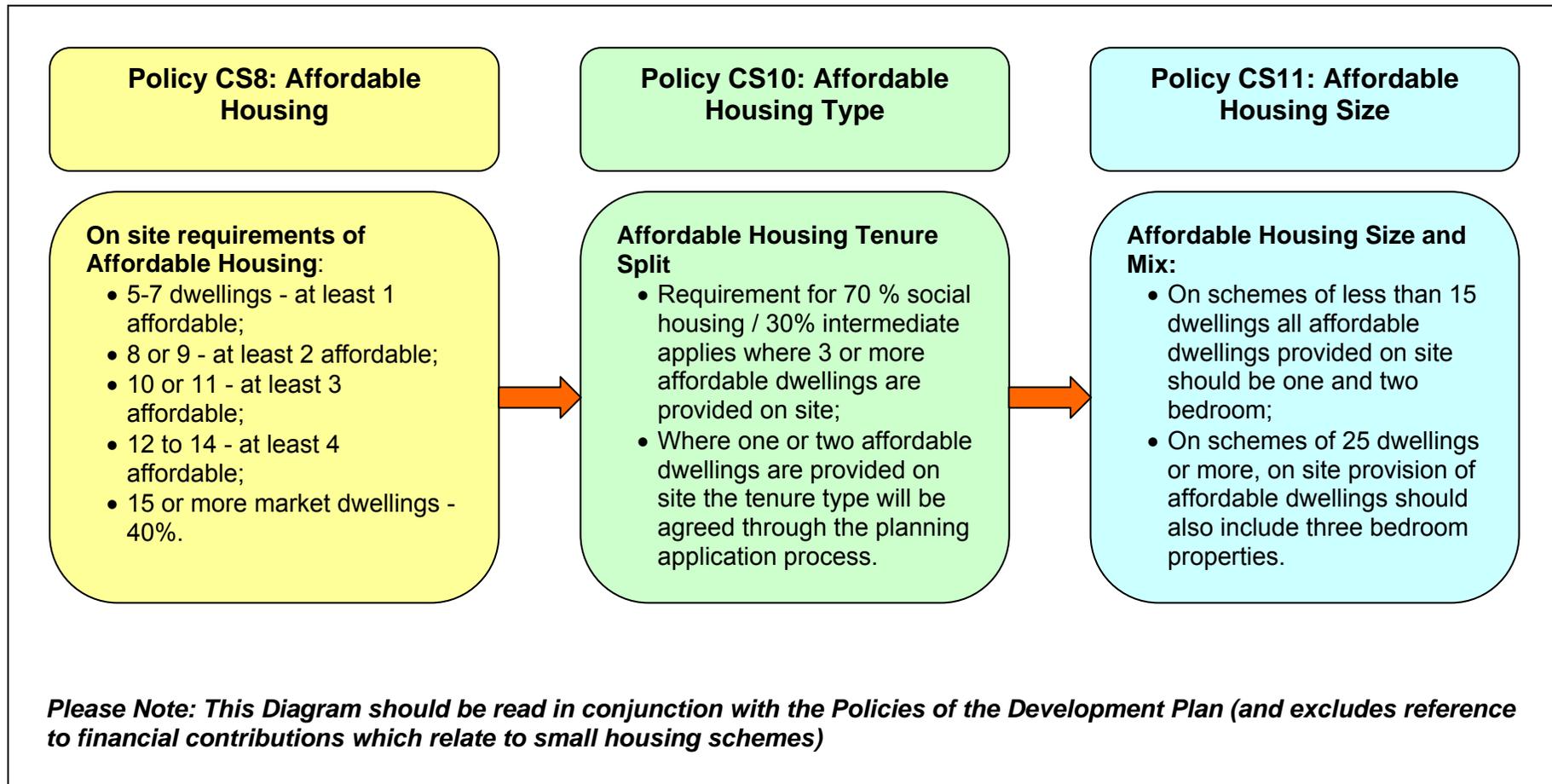
Figure 1: Affordable Housing Provision/Contributions and the Planning Application Process

Figure 2: Relationship between the affordable housing policies within the Core Strategy



Chapter 3:

Pre-Submission (Stage 1)

3.0.1 The Council's expectation is that developments for new housing will meet the requirements of the affordable housing policies (CS8, CS10 and CS11) of the Core Strategy. It is therefore considered beneficial for applicants to make contact with the Council at an early stage in the process to discuss their schemes.

3.0.2 When making early contact there are a number of key questions that applicants usually ask. These questions and the answers are set out below:

3.1 When is affordable housing required?

3.1.1 Policy CS8 of the Core Strategy requires any development where between one and four additional dwellings are proposed (i.e. there is a net gain of one to four dwellings on a site) to make a financial contribution towards affordable housing elsewhere in the District. On housing schemes where five or more additional dwellings are proposed Policy CS8 requires an amount of affordable housing to be provided on site. Refer to Figure 2 and Appendix 1 for further details.

3.2 What financial contribution is required towards affordable housing (if appropriate)?

3.2.1 On small development sites where between one to four additional new market dwellings (net) are proposed, affordable housing need not

be provided on site but a financial contribution towards the provision of affordable housing elsewhere in the District will be required. This SPD provides information about the financial contribution required for each additional dwelling proposed. The Council has taken care to ensure that the level of contributions will not unduly restrict new development, in line with draft national planning policy guidance¹⁴ and in the light of government advice on planning obligations¹⁵. The Council has aimed to create the potential for a regular stream of contributions to be spent on the provision of affordable housing and for contributions to be set at a reasonable level.

3.2.2 Research into the sum of money that should be secured by financial contribution is contained within the Affordable Housing Financial Contributions Study (November 2011) by Dixon Searle Partnership. This Study, which took into account the extensive evidence prepared for the Core Strategy, reviewed the different methods which the Council could use to derive the financial contribution. The study identifies that, in most cases, the Council will be able to seek a financial contribution of £125 per sq m of net additional residential floorspace created by the development, without development viability being unduly affected. Within the Study it is also

¹⁴ Draft NPPF paragraph 21

¹⁵ Circular 5/05 Planning Obligations

noted that the total financial contribution sought on a development should not be so high as to make the financial contribution more expensive than the cost of providing one affordable dwelling on site¹⁶. Accordingly a maximum contribution is specified as £25,000 per net additional dwelling.

3.2.3 The financial contribution required by policy CS8 of the Core Strategy for Chiltern District is specified in Box 1.

¹⁶ As part of the examination into the Core Strategy, the Inspector advised that the level of contribution secured should not be “*unduly onerous and represent a proportionally greater contribution than the provision of one affordable dwelling on site of schemes of 5-7 dwellings*” (Refer to paragraph 71 of the Core Strategy for Chiltern District DPD, Inspector’s Report September 2011).

Box 1: The Financial Contribution

In line with Policy CS8, this SPD establishes that on sites where one to four additional dwellings are proposed (net), a financial contribution of £125 per square metre of floorspace (Gross Internal Area) created* by the additional dwellings would be required. This money will be used to provide affordable housing elsewhere in the District.

The maximum contribution required would be £25,000 per additional dwelling (net).

**Note: In cases where the development proposed would involve the demolition or conversion of a dwelling/ dwellings, the 'floorspace created' by the additional dwellings will be calculated by multiplying the average gross internal area (GIA) of all the dwellings proposed (gross) by the number of net additional dwellings proposed on the site (i.e. the actual gain in dwellings on site).*

3.2.4 By calculating the financial contribution required based on the net gain in residential floorspace on the site, the sum of money secured will be proportional to the size of the new dwellings proposed by the development. Box 2 contains some worked examples of how the financial contribution will be calculated by the Council.

3.2.5 The Council will monitor the level of the financial contribution to ensure that its value is not eroded by inflation. Therefore changes in the build cost index produced by the Royal Institute of Chartered Surveyors will be used to assess whether the level of the contribution will need to be revised in future. If this is the case further information will be made available on the Council's website and it will be linked to the monitoring of the SPD described in Chapter 7.

Box 2: Worked examples showing how the financial contributions shown in Box 1 will be calculated**Example 1**

A scheme of 3 new dwellings is proposed. One dwelling has a GIA of 75 sq m and two have a GIA of 90 sq m. (There are no existing dwellings on the site).

The contribution required would be calculated as follows:

- $75 \times \text{£}125$ per sqm GIA = $\text{£}9,375$, for the smaller dwelling

Plus

- $90 \times \text{£}125$ per sqm GIA $\times 2 = \text{£}22,500$, for the two other dwellings in total

So the total contribution for the 3 dwellings proposed would be £31,875.

Example 2

A conversion of commercial floorspace to create two flats is proposed. The flats are 45sqm and 60sqm in size (GIA).

The contribution required would be calculated as follows:

$45 \times \text{£}125$ per sqm GIA = $\text{£}5,625$ for the smaller flat

Plus

$60 \times \text{£}125$ per sqm GIA = $\text{£}7,500$ for the larger flat

So the total contribution for the 2 flats proposed would be £13,125.

Example 3

A scheme of five new dwellings is proposed. On the site is one existing dwelling which would be demolished as part of the development. This would mean the development would result in a net gain of four dwellings on the site. The new dwellings proposed by the development are a mix of different sizes (100sqm, 200sqm, 220sqm, 280sqm and 300 sq m GIA).

The contribution required would be calculated as follows:

The total floorspace of the 5 dwellings would be 1100 sq m with a gross average floor space of 220 sqm per dwelling

So the total contribution for the net gain of four dwellings on site would be (880 sqm [4 x 220sqm] x $\text{£}125$ per sq m subject to the limit of $\text{£}25,000$ per dwelling in Box 1) = £100,000

NB. Whilst the calculated contribution should be £110,000, the maximum financial contribution that can be secured on sites is £25,000 per net additional dwelling (refer to Box 1)

Example 4

A conversion of a single dwelling to four flats is proposed. Utilising the existing built form of the dwelling, the average GIA of the four flats is 75 sq m.

So the total contribution for the net gain of three dwellings on site would be (225 sqm [3 x 75sqm] x £125 per sq m) = £28,125

3.3 Alternative to on-site provision of affordable housing

3.3.1. The Core Strategy advises that on developments of five or more dwellings (net) affordable housing should be provided on-site unless there are exceptional circumstances which would justify an alternative to on-site provision. Paragraph 10.4 of the Core Strategy recognises that there may be occasions where there are insurmountable problems with securing on-site provision and alternatives to this might be suggested instead. It will be up to the applicant to demonstrate this by providing robust evidence. This evidence will need to include:

- evidence that the developer has offered the on-site affordable units to Registered Providers currently active in the District and their responses to that offer;
- the cost of the units being offered to the RP (including information about the reasonableness of this cost);
- details of the size and standard of the units which have been offered to RPs (see advice on relevant HCA design standards

in paragraph 3.4.10 of this SPD);

- the type of dwelling which is being proposed (market and affordable) and
- any site-specific circumstances which might be relevant.

3.3.2. In the exceptional cases where the Council will accept payments in-lieu of providing affordable housing on-site, the Council will establish what the financial contribution will be.

3.4 What size and which tenures of affordable housing are required?

3.4.1 Table 1 in Appendix 5, shows the requirements of Policies CS8, CS10 and CS11 alongside each other to assist consideration of schemes.

3.4.2 Policy CS10 of the Core Strategy sets out the requirements for different housing tenures. Policy CS11 of the Core Strategy sets out the requirements for different house sizes – see also Figure 2 and Appendix 1.

Tenure Mix

3.4.3 The impact of tenure upon viability was considered as part of the evidence for the Core Strategy. The consultants who carried out Affordable Housing Development Economics Study Update for the Council in 2010¹⁷ used an assumption of 70% social rented and 30% shared ownership or other intermediate option, as now contained in Policy CS10.

3.4.4 Where affordable housing is required on-site the tenure requirements for a 70% – 30% split within Policy CS10 can only be practically applied for sites over a certain size, i.e. those generating 3 or more affordable units. For schemes for more than 10 net new dwellings three affordable units would be needed. Applying the tenure split in Policy CS10 to three affordable units would provide a broad split of one intermediate and two social rented affordable units. More information is given in Table 1 (in Appendix 5).

3.4.5 Tenure requirements will be affected by the Government's new affordable rent model. This will be particularly relevant to the consideration of viability as highlighted in Policy CS10. There is pressure across the country for schemes to include affordable rent as an alternative to social rent¹⁸. Policy CS10 already includes flexibility on mix in relation to viability and local circumstances and commits to regular review. When looking at tenure, the

Council will use the requirements within Policy CS10 as the starting point for negotiation.

3.4.6 While Core Strategy Policy CS 10 seeks the provision of rented accommodation at Social Rent levels, the Council recognises that some schemes may be put forward that propose to deliver Affordable Rent. In these cases, the Council will take a pragmatic approach to tenure and will take account of factors such as viability, subsidy availability and the contractual requirements of the Registered Provider involved with the scheme (e.g. the Registered Providers contract with the HCA). The Council's position on Affordable Rents will be reviewed annually within its Strategic Housing Framework review. Developers and Registered Providers are advised to contact the Council at an early stage to discuss and clarify tenure requirements for particular schemes.

Size Mix

3.4.7 The preferred size mix of affordable units is set out in Policy CS11. Again it is suggested that Policy CS11 should be taken as the starting point before finalising a size mix. This will help incorporate viability issues early on, moving to the detail of what size mix would be appropriate. More information is included in Appendix 5.

3.4.8 Policy CS11 does not specify proportions for one and two bedroom dwellings as it gives some flexibility in relation to particular local / site specific needs and issues which may apply. These

¹⁷ paragraph 2.16

¹⁸ Communities and Local Government and Homes and Communities Agency (2011) 2011-2015 Affordable Homes Programme – Framework

issues may be the subject of pre-application discussion and will be agreed through the planning application process.

3.4.9 Applicants should note that paragraph 10.9 of the Core Strategy states that the Council's Core Strategy evidence does not show a significant need for flat schemes in the District and so these are not encouraged.

3.4.10 Where affordable housing is required to be provided on-site by Policy CS8, the Council will expect these affordable dwellings to be designed and constructed in accordance with standards required by the Homes and Communities Agency. At the date of this SPD the design standards for affordable housing required by the Homes and Communities Agency are set out in the 2007 Design and Quality Standards produced by the Housing Corporation. In turn these are supported by detailed requirements known as Housing Quality Indicators¹⁹. One important aspect of these standards are the size (floorspace) requirements for new affordable dwellings.

3.5 The need for early contact with the Council

3.5.1. The Council encourages applicants to get in touch early on with its Planning and Health and Housing Sections where a scheme involves affordable housing. This should be done before a planning application is submitted. This will

help the Council and applicants discuss the various policy requirements and particular circumstances of a site. Contact points for these services are:

Planning

Telephone: 01494 732950

Email: planning@chiltern.gov.uk

Details of the charges for pre-application advice can be found on the following link:

www.chiltern.gov.uk/planning/preapplicationadvice

Housing

Telephone: 01494 732013

Email:

housingandcommunity@chiltern.gov.uk

¹⁹ Housing Corporation (2007 and updated 2008) 721 Housing Quality Indicators (HQI) Form version 4 (for NAHP 08-11). Published May 2007. Updated April 2008.

3.5.2. The early discussions will also be likely to include reference to the Council's standard unilateral undertakings and Section 106 agreements for affordable housing. Applicants need to be aware that the Council will expect them to enter into a legal agreement or show that they are committed to signing the Council's standard unilateral undertaking relating to affordable housing. More information on this is found in chapter 5 of this SPD.

3.6 The role of Registered Providers (RPs)

3.6.1. Applicants are free to make contact with whichever Registered Provider (RP) they prefer. The Council does not have a single recommended RP but the Council's Health and Housing Section has a list of RPs active in the District which can be provided to applicants on request.

3.6.2. It would be useful if applicants indicated whether they have found a partner RP for their scheme as part of the information submitted with their planning application.

3.6.3. The Council is aware that affordable housing can be delivered by either a Registered Provider or a developer/organisation that is registered with the HCA as an Investment Partner. For these developers/organisations the Council will need to be assured that they have been assessed by the HCA to ensure that they are of good standing and that they have the financial and technical capacity to deliver new housing. As part of this they will need to have secured Investment Partner status in the HCA's Affordable Homes Programme.

Chapter 4:

Submission and Consideration of a Planning Application (Stage 2)

4.0.1 Again applicants are reminded that the Council expects that developments will meet the requirements in the Core Strategy affordable housing policies (CS8, CS10 and CS11). Compelling and detailed evidence of exceptional circumstances affecting viability will need to be shown if applicants seek to argue that Policies cannot be met. It will not be enough for an applicant to just state without providing appropriate details that they have paid a disproportionate amount for the land and so requirements cannot be met. On this matter policy CS8 of the Core Strategy states:

“The Council recognises that there will be occasions where it is not financially viable for developers to meet the targets in this policy. Where these targets cannot be met the Council will require clear evidence to demonstrate why it is not viable to do so. The Council will review this evidence and where appropriate will negotiate with the developer to establish the affordable housing content or contribution that can be secured without the scheme viability being compromised.”

4.1 Financial Viability Appraisals

4.1.1 Paragraph 10.5 of the Core Strategy makes it clear that the Council will expect that the costs of providing affordable housing provision (in line with the requirements of Policies CS8, CS10 and CS11) will have been taken into account when an applicant purchases land for housing. However, if an applicant considers there to be exceptional circumstances arising from this development which mean they cannot achieve the targets within Policy CS8, a detailed financial viability appraisal (FVA) should be provided with their planning application. The Council recognises that to be robust FVAs may need to contain commercially sensitive information. The Council will consider any request by the applicant to hold such material in confidence.

4.1.2 Where an applicant proposes to provide fewer affordable dwellings on a site than specified in Policy CS8; or if the proposed financial contribution falls below that specified in Chapter 3 of this SPD, the Council will expect an applicant to provide information on financial viability with the planning application. This information must be **submitted at the same time as**

the planning application²⁰. The FVA information should clearly show why there are exceptional viability issues. One paper copy of the financial viability appraisal should be provided for the Council together with one electronically in pdf format (or, if appropriate, as a spreadsheet). They should be enclosed with the material submitted with the planning application²¹.

4.1.3 Appraisals will need to show that the applicant has been flexible in trying to accommodate the Council's affordable housing requirements where exceptional viability issues emerge. For example by showing that different courses of action and other options to make a scheme viable have been seriously considered. Appendix 3 of this SPD contains guidance about the information which should be included in FVAs. Supplying the right type of information for the Council is critical, enabling a quicker assessment of viability matters. The Council recognises that there are a number of toolkits which have been developed for this process such as the Homes and Communities Agency Development Appraisal tool²².

4.1.4 The Council appreciates that some information may be commercially sensitive. Therefore the appraisal information should include a summary which can be reproduced and reported in the public domain. For example information which can be referred to in a report for Planning Committee. The appraisal should make clear if there is any information which would be confidential. However applicants need to understand that the Council intends the process to be as open and transparent as possible.

4.1.5 The Council will assess the FVA and, as appropriate, send the FVA to its retained independent chartered surveyors. The assessment of the FVA is to ascertain whether the affordable housing requirements will render a proposed scheme unviable, and what alternative contribution would be acceptable.

4.1.6 The Council will consider the assessment of the FVA when it makes a decision on a planning application.

4.1.7 In the consideration of FVAs a key principle is whether a scheme is, or could be made, viable. When looking at viability, the Council will be flexible when considering the dwelling tenure and size requirements within Policies CS10 and CS11 of the Core Strategy²³ and it is expected that applicants will do likewise.

²⁰ Following the consultation process the information requirements for the validation of planning applications has been amended and the applicant will either need to submit a financial viability appraisal or confirm in writing the willingness to enter into a legal agreement for the full contribution

²¹ Information about the submission of planning applications to the Council is available to view on the Council's website

www.chiltern.gov.uk/planning

²²

<http://www.homesandcommunities.co.uk/ourwork/development-appraisal-tool>

²³ See Appendix 1 of this SPD

Chapter 5:

Legal Requirements (Stage 3)

5.1 Arrangements for Section 106 Agreements and unilateral undertakings

5.1.1 To avoid delays in the determination of planning applications the SPD aims to simplify the way in which Section 106 Agreements and Unilateral Undertakings are secured. To do this the Council will require planning applications for housing schemes of less than 15 dwellings to be accompanied by a commitment to signing a unilateral undertaking covering affordable housing requirements. These undertakings would relate to either:

- financial contributions for sites of 1-4 net new dwellings;
- the provision of affordable housing on site for sites of 5 – 14 net new dwellings.

5.1.2 The Council has a standard unilateral undertaking which is available on the Council's website. Similarly a standard s106 agreement has been devised and is available for schemes for more than 15 net new dwellings. Appendix 4a of the SPD includes information about the likely content of section 106 agreements for larger schemes concerning affordable housing.

5.1.3 For large schemes the Council's Legal Services team or external advisers will draw up a

draft agreement²⁴. They will consult with the applicant or the applicant's appointed legal representatives on the draft. The finalised agreement will need to be signed by all parties before a planning permission can formally be issued. In some cases, and depending upon site specific circumstances, agreements may also relate to other matters, e.g. contributions for highways improvements.

5.1.4 In all cases of less than 15 units, the Council's preference is that applicants should show that they are committed to signing the Council's standard unilateral undertaking for affordable housing as part of their planning application as referred to in Appendix 4b of this SPD.

²⁴ Please note that the Council will expect the cost for drawing up the legal agreement to be borne by the applicant.

Chapter 6:

Post-Determination (Stage 4)

6.1 Council procedures for handling financial contributions for Affordable Housing

6.1.1 The Council's Cabinet has an overarching role in making policy and in managing the Council's budget. It has put in place a clear and transparent process for the collection and spending of contributions which it closely regulates and monitors.

6.1.2 Sums collected and expended will be reported quarterly to Cabinet as part of the Council's performance monitoring framework. Annually a capital programme for expenditure will be agreed by Cabinet and the spending of individual amounts in line with this programme will be agreed by the Council's Portfolio Holder for Health and Housing.

6.2 How will contributions be collected?

6.2.1 The legal agreement / unilateral undertaking will specify the timing of the payment of contributions and the method of payment. These payments will usually be triggered when development commences on site. The Council will link monitoring of development commencement through its Building Regulations role to its procedures for sending out requests for payment of contributions.

6.2.2 The Council will monitor this system and enforce against breaches of payments so that applicants are encouraged to make payments on time. Interest will be charged for late payments. Payments will be requested by way of a formal letter from the Council's legal services team.

6.2.3 There is a specific (ring-fenced) capital budget into which commuted sums will be paid. Information about the budget can be made available on request.

6.2.4 Contributions from individual schemes will be pooled together to enable the Council to collect sufficient money to spend on particular schemes and to ensure that it can be spent effectively.

6.3 What will the contributions be spent on?

6.3.1 The type of projects that the Council will spend financial contributions are set out in Appendix 2. Contributions will be spent on projects / initiatives which facilitate the increased provision of affordable housing in Chiltern District. For example Appendix 2 refers to the purchase of open market properties by Registered Providers to be utilised as affordable housing. It also covers subsidising the development of new affordable housing where it would not be viable to proceed without subsidy. Projects designed to help generate vacancies within

the existing affordable housing stock so that households can access other options and the upgrade of existing stock are also referred to.

6.3.2 Other new affordable housing initiatives may emerge in future, so the above is not an exhaustive list and the Council may review the criteria from time to time through the Council's Strategic Housing Framework.

6.3.3 The ways in which the contributions are proposed to be spent will be authorised by the

Head of Health and Housing in consultation with Portfolio Holder for Health and Housing (on behalf of Cabinet). This will be done on a scheme by scheme basis in line with the agreed criteria/programme.

6.3.4 The amount of the contributions secured and how they are spent will be recorded by the Council and reported to Cabinet on a quarterly basis. They will also be reported in the Council's Annual Monitoring Report. This information will be made available on the Council's website.

Chapter 7:

Ensuring Delivery

7.1 Monitoring this SPD and the delivery of Affordable Housing

7.1.1 The process of delivering affordable housing is a dynamic one, affected by many factors. The Council includes information about its performance on affordable housing provision as part of its annual reporting process²⁵. This relates to the number of new affordable units permitted and built in the District and is available on the Council's website²⁶. The Council will also monitor the outcome of affordable housing permissions in terms of tenure and size mix and the delivery of financial contributions. As referred to in paragraph 3.2.5, the Council will keep the level of the financial contribution under review to ensure that its value is not eroded by inflation. If the monitoring process shows that there is a need to review the SPD or other aspects of the Council's Strategic Housing Framework so as to improve the delivery of affordable housing, this will be done. Although the SPD is new the principle of financial contributions is already receiving support at appeal.

7.2 Review period for the SPD

7.2.1 The time horizon for the SPD coincides with that of the Core Strategy, to 2026. As the SPD provides guidance on the Council's Core Strategy policies, reviews of the SPD will link to the monitoring and review of the Core Strategy. Chapter 18 of the Core Strategy explains the way the Council will keep the delivery of the Core Strategy on track and how it will take action if the delivery of housing and infrastructure encounters problems.

²⁵ Annual Monitoring Report: NI 155 LAA
Number of affordable homes delivered (gross)
(By period Quarterly); LPIPE24 Number of
newly built affordable homes completed (gross)
(Cumulative Quarterly) and LPIPE25
Percentage of new homes (net) granted
planning permission which are affordable (By
period quarterly)

²⁶ Refer to:
www.chiltern.gov.uk/nationalandlocalperformanceindicators

References and Background Studies

Adams Integra (2007) Affordable Housing Development Economics Study (CDN031)

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Chiltern District Council (2009/2010) Annual Monitoring Report

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Chiltern District Council (2011) Strategic Housing Framework 2011-2012

Communities and Local Government and Homes and Communities Agency (2011) 2011-2015 Affordable Homes Programme – Framework

Communities and Local Government (2011) Planning Policy Statement 3 (PPS3) Planning for Housing

Communities and Local Government (2011) draft National Planning Policy Framework

Communities and Local Government (2010) Local decisions: a fairer future for social housing. Consultation

Dixon Searle Partnership (2011) Chiltern District Council Affordable Housing Financial Contributions Study (November 2011)

Fordham Research (2008) Bucks Strategic Housing Market Assessment (CDN051-053)

Home & Communities Agency (2009) Good Practice Note – Investment and Planning Obligations – Responding to the Downturn

Housing Corporation (2007) Design and Quality Standards

Housing Corporation (2007 and updated 2008) 721 Housing Quality Indicators (HQI) Form version 4 (for NAHP 08-11). Published May 2007. Updated April 2008.

Minister of State for Decentralisation (23 March 2011) Ministerial Statement Planning for Growth

Office of the Deputy Prime Minister (2005) Circular 5/05 Planning Obligations

RICS (2007) Code of Measuring Practice 6th Edition

Glossary of Terms and Abbreviations

Affordable housing

Housing, whether for rent, shared ownership or outright purchase, provided at a cost considered affordable in relation to incomes which are average or below average, or in relation to the price of general market housing. See also Annex B of PPS3

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1918430.pdf> and page 53 of the draft NPPF
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1918430.pdf>

Affordable Rent

Rented housing let by registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is not subject to the national rent regime but is subject to other rent controls that require a rent of no more than 80 per cent of the local market rent.

See also Annex B of PPS3

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1918430.pdf> and page 53 of the draft NPPF
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1918430.pdf>

Community Infrastructure Levy (CIL)

A levy which may be charged on new development by Local Authorities to enable them to secure additional funding for the infrastructure related to new development in their area.

Core Strategy

The main document in the Council's Local Development Framework which contains the vision, objectives, spatial strategy and strategic policies which deliver the vision and provide a context for the future development of the area
www.chiltern.gov.uk/corestrategy

Homes and Communities Agency (HCA)

A government organisation that funds new affordable housing

Gross Internal Area (GIA)²⁷

Broadly speaking the whole enclosed area of a dwelling within the external walls taking each floor into account and excluding the thickness of the external walls. For the avoidance of doubt the GIA of a residential property will **Include:** areas occupied by internal walls and partitions, columns and piers (whether free standing or projecting inwards from an external wall), chimney breasts, stairwells, lift wells, basements, loft rooms, mezzanine floors.

Exclude: the thickness of external walls, areas with headroom of less than 1.5m where the dwelling does not have usable space vertically above, garages, external open-sided balconies, greenhouses, garden stores, fuel

²⁷ For specific guidance and examples of how to calculate GIA refer to RICS Code of Measuring Practice (6th Edition or later) which is available from RICS directly

stores and the like in the residential property, open vehicle parking areas, patios (source: RICS Code of Measuring Practice):

Gross Development Value (GDV)

The amount a developer receives when a scheme is built / sold (This might include sales as well as payments from a Registered Provider for completed affordable housing units). It does not include an allowance for costs (see also RLV below)²⁸.

Intermediate housing

Housing at rents and prices above those of social rent, but below market prices or rent.

See also Annex B of PPS3

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1918430.pdf> and page 53 of the draft NPPF
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1918430.pdf>

Market housing

Private housing for rent or sale, where the price is set in the open market.

Open Market Value

The value of land or property which can be secured when it is sold

Registered Provider (RP)

A body registered with the Homes and Communities Agency which owns or manages affordable homes. For the purposes of this SPD the term registered provider is taken to include either a Registered Provider or a developer/organisation that is registered with the HCA as an Investment Partner. For these developers/organisations the Council will need to be assured that they have been assessed by the HCA to ensure that they are of good standing and that they have the financial and technical capacity to deliver new housing.

Residual Land Value (RLV)

The sum of money left once all development, finance and land costs have been deducted from the gross development value (GDV). This would take into account the sum required for affordable housing / other infrastructure payments/requirements where applicable²⁹.

Section 106 Agreement

A legal agreement usually between the Local Planning Authority (the Council), a site owner / developer, under the Town and Country Planning Act 1990 which ensures that particular requirements, such as the mix and number of

²⁸ This is based on the definitions in Appendix IV of the Affordable Housing Development Economics Study 2007

²⁹ This is based on the definitions in Appendix IV of the Affordable Housing Development Economics Study 2007

affordable housing units, are met as part of new development schemes. These are sometimes referred to as Planning Obligations.

Shared equity / ownership

A housing scheme aimed at first time buyers, who cannot afford to buy outright, a home suited to their needs. The buyer purchases a part of the equity, paying rent on the remainder, which is usually retained by a Registered Provider

Social Rented housing

Affordable housing provided for rent at below market levels to eligible people on the Council's housing register. See also Annex B of PPS3 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/1918430.pdf> and page 53 of the draft NPPF <http://www.communities.gov.uk/documents/planningandbuilding/pdf/1918430.pdf>

Unilateral undertaking

A formal, legally binding document usually submitted by an applicant to the Local Planning Authority (the Council) to indicate that the applicant proposes to meet certain planning requirements as part of a new development scheme.

Appendix 1

Copy of Adopted Core Strategy Policies CS8, CS10 and CS11

Policy CS8: AFFORDABLE HOUSING POLICY

The Council will aim to achieve the following targets for the provision of affordable housing. In new developments which contain 15 dwellings or more, at least 40% of dwellings within the development shall be affordable. In developments with less than 15 dwellings, there should be:

- at least four affordable housing units on sites which have 12 to 14 dwellings
- at least three affordable housing units on sites of 10 or 11 dwellings
- at least two affordable housing units on sites of 8 or 9 dwellings
- at least one affordable housing unit on sites of 5 to 7 dwellings
- on sites of 1 to 4 dwellings, a financial contribution for each new dwelling towards the provision of affordable housing elsewhere in the District.

The Council recognises that there will be occasions where it is not financially viable for developers to meet the targets in this policy. Where these targets cannot be met the Council will require clear evidence to demonstrate why it is not viable to do so. The Council will review this evidence and where appropriate will negotiate with the developer to establish the affordable housing content or contribution that can be secured without the scheme viability being compromised.

On rural exception sites as described in Policy CS9, all the dwellings must be affordable.

Notes:

- i. The Council will make its own assessment of a site's capacity having regard to the adopted planning policies and other material considerations. This will apply in cases where an application site is part of an identifiable larger area capable of more comprehensive development, regardless of ownership.*
- ii. It should be noted that the levels of affordable housing sought would, according to Adams Integra, still allow scope for contributions towards infrastructure.*
- iii. All dwelling figures are net.*
- iv. "Dwellings" are defined in Use Class C3 in the Town and Country Planning (Use Classes) Order 1987 (as amended)*

Policy CS10: AFFORDABLE HOUSING TYPE

The Council's Strategy in relation to affordable housing is to seek a mix of a minimum of 70% social rented and a maximum of 30% shared ownership (or other intermediate housing option). This strategy will be reviewed from time to time within the Council's Strategic Housing Framework, which will take into account national guidance and legislation and local circumstances. The appropriate mix in any particular development will be considered in the context of viability and local circumstances.

Note

- i. The review of the amount of social rented and intermediate affordable housing to be provided in new development will take into account changes in the definition of affordable housing set out in national planning policy.*

Policy CS11: AFFORDABLE HOUSING SIZE

The Council will seek and promote the following mix in respect of the affordable element of housing schemes:

- where less than 10 affordable dwellings are proposed they should all be one and two bedroom dwellings
- where 10-14 affordable dwellings are proposed one three bedroom dwelling shall be provided with the remainder being one and two bedroom dwellings
- where 15-19 affordable dwellings are proposed two three bedroom dwellings shall be provided with the remainder being one and two bedroom dwellings
- where 20 or more affordable dwellings are proposed 20% of those dwellings shall have three bedrooms with the remainder having one and two bedrooms

These are guideline figures. The Council will consider varying the percentages on a site by site basis depending on site specific issues or local housing needs.

Appendix 2

What will financial contributions for affordable housing be spent on?

1. The Council will use the financial contributions to fund projects and initiatives that will increase the provision and availability of affordable housing across Chiltern District.
2. The Council has agreed that the financial contributions can be used for the following purposes:
 - (i) **To subsidise the development of new affordable housing schemes on sites in Chiltern District where it would not be viable to proceed with the development without subsidy**
 - (ii) **To subsidise the purchase of existing properties by Registered Providers (i.e. housing associations) in Chiltern District which will then be utilised as affordable housing**
 - (iii) **To fund schemes designed to generate vacancies within the existing affordable housing stock within Chiltern District and/or help households to access affordable housing options**
 - (iv) **To upgrade existing affordable housing stock within Chiltern District so that it better meets the needs of those on the housing register (e.g. improve and convert hard to let properties so that they can meet local affordable housing needs)**
3. The Council will keep this list under review and will amend it to reflect new affordable housing initiatives as and when appropriate.

How will expenditure be approved?

4. **Each proposal by the Council for expenditure to be funded by the financial contributions will be subject to consultation with the Portfolio Holder for Health and Housing who will have regard to the criteria set down in (i) to (iv) above.**

How will expenditure be monitored?

5. The Council's Annual Monitoring Report will include a summary of:
 - the financial contributions that have been received by the Council and
 - the expenditure by the Council that has been funded by financial contributions.
6. The Annual Monitoring Report will be available on the Council's website.

Full details of financial contributions received and the expenditure that has been funded will be reported to the Council's cabinet every three months as part of the Council's Performance Monitoring Framework. Income and expenditure will also be monitored as part of the Council's overall Capital Programme.

Appendix 3

General guidance for financial viability appraisals

The FVA appraisal submitted to the Council should include/state:

- a. The methodology and detailed calculations used in the FVA;
- b. Land values (residual land value (RLV) and gross development value (GDV)), build costs (per square metre), land purchase price/costs and anticipated profit / profit margins (also as a % of GDV) and minimum profit level assumptions;
- c. Details of the costs for the provision of local infrastructure / services, and other planning obligations /agreements;
- d. The interest rate / lending costs plus programme and cash flow;
- e. Costs for marketing and sales (including legal fees) as a % of the GDV;
- f. If the land is owned by the applicant or whether it is subject of an option or other arrangement;
- g. The proposed tenure and size mix of affordable dwellings;
- h. The expected sales price for each dwelling proposed on the site;
- i. Expected phasing of sales;
- j. References to the sources of data used, including those used for evidence of local property market values. To include market evidence for both market and affordable housing and benchmark or refer to BCIS rates for build costs;
- k. Whether any grant / other source of income will be available to augment the finance needed for the affordable units;
- l. Anticipated price paid for the affordable dwellings by the Registered Provider³⁰;
- m. Ground rents and service charges for flats if relevant;
- n. Whether there are considered to be abnormal development costs and reports which justify them.

Please note the above list is not exhaustive and more information may be required.

An electronic version of the assessment should be provided.

³⁰ This should take account of the Homes and Communities Agency advice in its 2011-2015 Affordable Homes Programme – Framework that the price paid will be no more than the capitalised value of the net rental stream of the homes. This relates to the amount of loan funding that the RP can raise based on the rental income for the scheme concerned.

Appendix 4 (a)

General heads of terms for section 106 agreements relating to affordable housing provision for large sites (15 or more dwellings)

Please note that the content of each section 106 agreement will be drawn up in relation to the individual circumstances of each proposed development. The following is intended as guidance rather than a definitive statement on all possible matters which might be included in an agreement.

A section 106 agreement is likely to include (but not limited to) the following matters;

- a. The proportions of the residential units within a scheme which will be provided as affordable housing
- b. The size (number of bedrooms) of the affordable units within a scheme, including possible requirements for specific numbers of 1 and 2 bedroom dwellings and for specific numbers of 3 bedroom dwellings
- c. The phasing of the occupation of market units in relation to the completion of the affordable units and their transfer to a Registered Provider (RP)
- d. The need for a binding agreement between the RP and the owner of the site concerning the transfer of the freehold / lease hold of the affordable units
- e. Limitations on the use of the affordable housing so that it is only used for affordable housing
- f. The tenure of the affordable units, e.g. social rented and/or intermediate housing
- g. Opportunities for the Registered Providers to gain grant funding from the Homes and Communities Agency and the potential impact this might have on the mix of tenure specified in the agreement (Cascade arrangements)
- h. The controls in relation to right to buy
- i. The control of the occupation of the units (by tenants and their dependants)
- j. The timing of tenancy arrangements and powers of the Council in relation to the nomination of affordable housing tenants and the notification period required to allow the Council to nominate tenants in a timely manner (anticipated dates of substantial completion of a development)
- k. Payment of reasonable legal costs to the Council incurred in connection with drawing up the agreement
- l. Arrangements relating to the possible breaches of the covenants within the agreement
- m. The need for agreements to be registered as a local land charge
- n. An Ordnance Survey Plan showing the areas of land related to the legal agreement

- o.** Monitoring arrangements to ensure that the agreement has been performed
- p.** Arrangements should units become vacant
- q.** Replacement dwellings
- r.** Details and dates relating to commuted sums if applicable

Appendix 4 (b)

Information about unilateral undertakings relating to affordable housing provision for small housing sites (14 or less dwellings)

The Council has included a copy of a standard unilateral undertaking relating to affordable housing provision on its website. All freeholders of a site will need to be willing to enter into the undertaking.

Applicants can download and complete this information. It can then be submitted to the Council together with the planning application.

Appendix 5

Table 1: Applying the different affordable housing policies

This table is included as a guide to applicants to show how the requirements of the Core Strategy policies relate to each other and to show what type of legal agreement would be needed. The table gives examples of market schemes from one to 50 net new dwellings. It does not provide calculations for schemes larger than this but the requirements would still apply beyond this point.

Net no. of proposed market dwellings	How many affordable units needed? (Policy CS8)	Is a financial contribution needed? (Policy CS8)	Which affordable tenure mix? (Policy CS10)	Which affordable size mix? (Policy CS11)	What type of legal agreement is needed?
1	None	Yes (£125 per sqm GIA) Refer to Box 1	n/a	n/a	standard unilateral undertaking for affordable housing
2	None	Yes (£125 per sqm GIA) Refer to Box 1	n/a	n/a	Standard unilateral undertaking for affordable housing
3	None	Yes (£125 per sqm GIA) Refer to Box 1	n/a	n/a	Standard unilateral undertaking for affordable housing
4	None	Yes (£125 per sqm GIA) Refer to Box 1	n/a	n/a	Standard unilateral undertaking for affordable housing
5 – 7	1	No	see paragraph 3.4.3-3.4.6	Mix to be agreed through the planning application process	Standard unilateral undertaking for affordable housing
8 – 9	2	No	see paragraph 3.4.3-3.4.6	One and two bedroom	Standard unilateral undertaking for affordable housing
10 – 11	3	No	see paragraph 3.4.3-3.4.6	One and two bedroom	Standard unilateral undertaking for affordable housing
12 – 14	4	No		One and two bedroom	Standard unilateral undertaking for

Net no. of proposed market dwellings	How many affordable units needed? (Policy CS8)	Is a financial contribution needed? (Policy CS8)	Which affordable tenure mix? (Policy CS10)	Which affordable size mix? (Policy CS11)	What type of legal agreement is needed?
			see paragraph 3.4.3-3.4.6		affordable housing
15	6	No	see paragraph 3.4.3-3.4.6	One and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
16 – 17	7	No	see paragraph 3.4.3-3.4.6	One and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
18 – 20	8	No	see paragraph 3.4.3-3.4.6	One and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
21 – 22	9	No	see paragraph 3.4.3-3.4.6	One and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
23 – 25	10	No	see paragraph 3.4.3-3.4.6	One three bedroom and the rest one and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
26 – 27	11	No	see paragraph 3.4.3-3.4.6	One three bedroom and the rest one and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
28 – 30	12	No	see paragraph 3.4.3-3.4.6	One three bedroom and the rest one and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
31 – 32	13	No	see paragraph 3.4.3-3.4.6	One three bedroom and the rest one and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)

Net no. of proposed market dwellings	How many affordable units needed? (Policy CS8)	Is a financial contribution needed? (Policy CS8)	Which affordable tenure mix? (Policy CS10)	Which affordable size mix? (Policy CS11)	What type of legal agreement is needed?
33 – 35	14	No	see paragraph 3.4.3-3.4.6	One three bedroom and the rest one and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
36 – 37	15	No	see paragraph 3.4.3-3.4.6	Two three bedroom and the rest one and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
38 – 40	16	No	see paragraph 3.4.3-3.4.6	Two three bedroom and the rest one and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
41-42	17	No	see paragraph 3.4.3-3.4.6	Two three bedroom and the rest one and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
43 – 45	18	No	see paragraph 3.4.3-3.4.6	Two three bedroom and the rest one and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
46 – 47	19	No	see paragraph 3.4.3-3.4.6	Two three bedroom and the rest one and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)
48 – 50	20	No	see paragraph 3.4.3-3.4.6	Four three bedroom and the rest one and two bedroom	S106 agreement – see general heads of terms for s106 agreements (Appendix 4a of the SPD)

Appendix 6

Sustainability Appraisal

Sustainability issues have been intensively explored and tested during the preparation of the Council's Core Strategy. The SPD links to the higher-level sustainability testing of the Core Strategy and the likely affects of the SPD are in-line with those anticipated for the Core Strategy.

All of the Core Strategy Sustainability Appraisal reports can be found on

<http://www.chiltern.gov.uk/corestrategy>

Appendix 7

Equality Impact information

There is a draft Equality Impact Assessment Screening Report for the Council's Core Strategy³¹. This shows that the Core Strategy does not disproportionately affect one specific equality group over another. The SPD does not include new Policy or go beyond the scope of the Core Strategy and does not by itself require an equality impact assessment. However potential equality impacts of the SPD will stem from related planning applications and the spending of financial contributions on affordable housing. Assessment of equality – related impacts will be carried out at those stages.

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http://www.chiltern.gov.uk/corestrategy/downloads/Chiltern_District_Council_Equalities_Impact_Assessment_Screening_Report_v1.0.pdf



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