



Affordable Housing Supplementary Planning Document (SPD)

February 2020

Planning Policy

1.	INTRODUCTION	3
	1.1 What is Affordable Housing?	3
2.	PROPOSED GUIDANCE	7
.	APPENDIX A	25
.	APPENDIX B	27
.	APPENDIX C	29

1 Introduction

1.1 Policy regarding affordable housing is set out in the National Planning Policy Framework and National Planning Practice Guidance; the Local Plan also sets out policy on affordable housing. Alongside this the Council propose to prepare a Supplementary Planning Document to provide guidance on the implementation of policy in the Local Plan; this guidance will be used when determining planning applications.

1.2 This consultation document sets out draft guidance on a number of matters and offers anyone with an interest the chance to make comments on the proposed approach; this includes residents, businesses, developers and statutory consultees. An online questionnaire has been set up to enable comments to be made. Comments need to be with the Council by **20th April 2020**.

1.3 Following this the comments made will be reviewed and changes made to the Supplementary Planning Document where it is considered necessary; a report will be prepared responding to the key issues raised. It will then be taken back to Full Council who will make the decision to adopt the document or not.

1.1 What is Affordable Housing?

1.4 The glossary to the NPPF sets out that affordable housing are homes for sale or rent for those whose needs are not being met by the market. It includes the following types of housing:

- Affordable housing for rent – homes rented out at below market values (typically social rents or affordable rents);
- Starter homes – homes available for sale to eligible first time buyers at a discounted price;
- Discounted market sale housing – homes for sale at least 20% below market values to eligible households;
- Other affordable routes to home ownership – including shared ownership, equity loans, other low cost homes for sale and rent to buy.

1.5 The full definition can be found in Appendix A.

1.6 Social rent is housing where guideline target rents are determined through the national rent regime under the Welfare Reform and Work Act (2016). Affordable rent is housing which is rented out at no more than 80% of the local market rent (including service charges).

National Policy

1.7 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and how these should be applied at a local level. It provides the framework within which local planning authorities such as Mansfield District Council prepare their local plans. It identifies that, as part of strategic policies, sufficient provision for housing and affordable housing should be made (paragraph 20). It goes on to identify that the contributions expected from development should be set out in the Local Plan including the levels and type of affordable housing required; such policies should not undermine the deliverability of the plan (paragraph 34).

1.8 It is the Government's objective to significantly boost the supply of housing (paragraph 59); Local Plans should aim to meet 'local housing need' for their area including those who need affordable housing (paragraph 61). Where a need for affordable housing is identified it should be provided on site unless off site provision or a financial contribution is robustly justified and the approach contributes to the creation of mixed and balanced communities (paragraph 62).

1.9 When affordable housing is required it is expected that at least 10% of the homes on site should be for affordable home ownership (paragraph 64); this would include starter homes, discounted market sales, shared ownership and other potential forms. Exceptions to this requirement include:

- Where the 10% requirement would exceed the level of affordable housing in the area;
- Where the requirements would significantly prejudice the ability to meet the identified affordable housing needs of specific groups;
- Where the development provides solely build to rent homes, specialist accommodation for people with specific needs (e.g. purpose built accommodation for the elderly or students) or affordable housing (including exception sites); and
- Sites for self-build (where people build or commission their own home).

Local Policy

1.10 As required by the NPPF, the Local Plan has made sufficient provision for housing including affordable housing and ensured that the level and type of affordable housing required from development are clear.

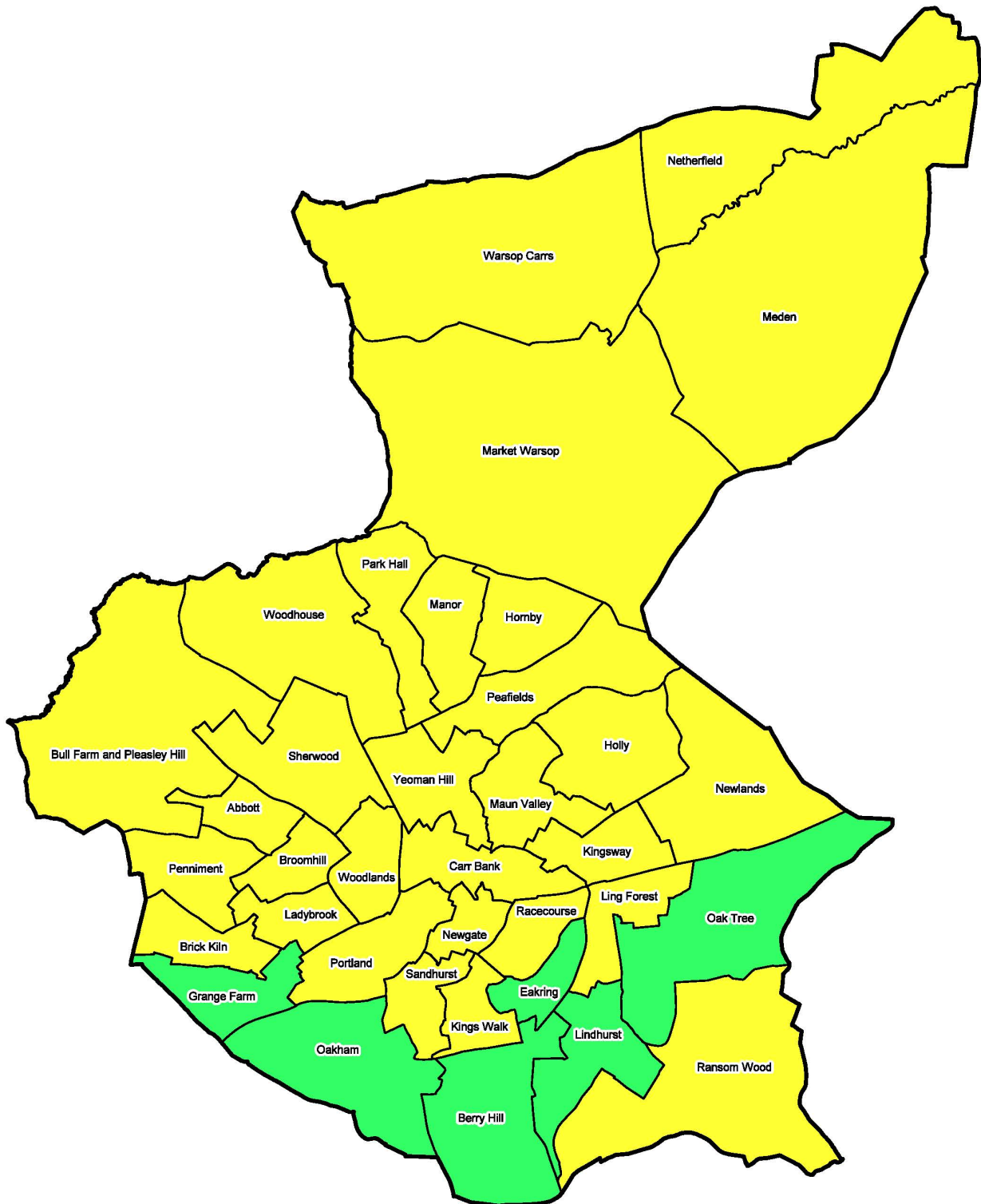
1.11 The Local Plan identifies that, depending on location (see Map Affordable Housing Zones) and whether they are brownfield or greenfield, sites of market housing are expected to provide between 5% and 20% affordable housing (Policy H4 (1a/b)). This applies to sites of 10 or more dwellings or more than 0.5ha in size (Policy H1 (2)) and the type of property and tenure will be considered in relation to identified needs (Policy H4(3)).

1.12 Off-site commuted sums of an equivalent value may be acceptable if on-site provision is demonstrated not to be justified or would contribute to development of affordable housing or regeneration schemes within the district (Policy H4 (4)). A different level or mix will be accepted where it is shown to be necessary to make the site viable and contributes to creating mixed and balanced communities (Policy H4 (5)).


1.13 A full version of the policy can be found at Appendix B, of the Local Plan Publication Draft September 2018.

www.mansfield.gov.uk/downloads/file/1122/s1-mansfield-district-local-plan-publication-draft-september-2018

1.14 Map of Affordable Housing Zones



Key

-  Zone 1 - Less than £150,000, Average House Price
-  Zone 2 - £150,000+, Average House Price

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Supplementary Planning Documents

1.15 The NPPF (Appendix 2) sets out that supplementary planning documents (SPDs) are documents which add further detail to the policies of the development plan. They are a material consideration when determining planning applications but do not form part of the statutory development plan.

1.16 The NPPG (Paragraph: 008 Reference ID: 61-008-20190315) identifies that SPDs should build upon and provide more detailed advice or guidance on policies in the Local Plan. They can't, however, introduce new planning policies nor add unnecessarily to the cost of development. The NPPG also confirms that SPD are excluded from the requirement for a Sustainability Appraisal (005 Reference ID: 11-005-20190722).

1.17 Section 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ⁽¹⁾ set out legal requirements for the preparation of SPDs. In summary these require:

A period of at least 4 weeks to allow any person to make representations about the SPD;

A consultation statement setting out who has been consulted, a summary of the key issues raised and how these comments have been addressed in finalising the SPD.

¹ <http://www.legislation.gov.uk/uksi/2012/767/part/5/made>

2 Proposed Guidance

Content of the SPD

2.1 Based on the above it is considered that the SPD should cover the following matters:

- The type and tenure of affordable housing required;
- When off site commuted sums may be provided and how to calculate them;
- How to satisfactorily demonstrate that a different mix of types or level of affordable housing is required to make the scheme viable.

2.2 In addition, it is proposed to provide guidance on the following matters:

- Vacant building credit;
- Design and layout;
- Build to Rent schemes; and
- Older persons accommodation.

Question 1

Do you agree with the topics proposed to be covered in the SPD?

Question 2

Are there any other matters which should be covered in the SPD?

Question 3

Do you have any comments about the SPD which are not covered by other questions?

Type & Tenure

2.3 The mix of affordable tenures is informed by local evidence on need and the requirements of the NPPF. The NPPF (paragraph 64) requires that 10% of homes on major sites should be available as affordable home ownership. To do so in Mansfield would, however, result in the specific needs of groups including families with children not being met; this is set out in the Housing Needs of Particular Groups

Study (2018) ⁽²⁾. As such it is proposed not to aim for 10% of homes on major development sites to be affordable home ownership options. A lower percentage of affordable home ownership options will still be secured as part of the mix of affordable housing provided on site.

2.4 The requirements have been viability tested through the preparation of the Local Plan; this include a general overview of the viability of different types of sites and the viability of the specific sites allocated in the Local Plan. These documents (Mansfield Whole Plan and Community Infrastructure Levy Viability Assessment (2018) and the Whole Plan Viability Appraisal Update (2018)) can be found on the evidence pages of the Council website ⁽³⁾.

2.5 The table below set out the requirements based on Policy H4. A map showing the zones can be found in Appendix B.

% of Affordable Homes Required

		Brownfield	Greenfield
Zone 1	Total Affordable Housing	5%	10%
	Social Rent (20%)	1%	2%
	Affordable Rent (50%)	2.5%	5%
	Starter Homes (15%)	0.75%	1.5%
	Intermediate (15%)	0.75%	1.5%
Zone 2	Total Affordable Housing	10%	20%
	Social Rent (20%)	2%	4%
	Affordable Rent (50%)	5%	10%
	Starter Homes (15%)	1.5%	3%
	Intermediate (15%)	1.5%	3%

Two: Proposed Guidance

² <https://www.mansfield.gov.uk/downloads/file/929/h3-mansfield-housing-needs-of-particular-groups-2018>

³ <https://www.mansfield.gov.uk/local-plan/evidence-support-local-plan-1/7?documentId=316&categoryId=20443>

- 2.6** Where the number of affordable homes does not equal a whole number the requirement will be rounded to the nearest whole number; so a requirement for 0.4 of a dwelling or less will be rounded down while 0.5 or more will be rounded up.

Question 4

Do you agree with the proposal to not require 10% affordable home ownership options on sites in Mansfield District?

Question 5

Do you agree with the proposal to round to the nearest whole number?

Question 6

Do you agree with the proposed split between social rent, affordable rent, starter homes and intermediate?

- 2.7** As part of producing the Local Plan a 'Housing Needs of Particular Groups Study (2018)' was prepared to provide guidance on the types of housing needed in the district ⁽⁴⁾. The table below is taken from this Study (paragraph 6.46 and table 5.4 of the Local Plan) and sets out the starting point for the size of affordable housing to be provided on site.

Size of Affordable Homes Required

1 bed	2 bed	3 bed	4+bed
40%	35%	20%	5%

- 2.8** These are district wide figures; final decisions will need to be made on a case by case basis having regard to a range of factors including:

- The nature of the development and type of homes to be provided;
- The existing supply of affordable housing in the area;
- Characteristics of the expected occupants;

4 <https://www.mansfield.gov.uk/downloads/file/344/housing-needs-of-particular-groups->

- The physical characteristics of the site; and
- any updated information about the size of affordable housing need in the area.

Question 7

Do you agree with the proposed starting point for the size of affordable homes required on site?

Question 8

Are there any other factors that should be taken into account when making the final decision on the size of dwellings?

Question 9

Do you have any comments about the size of affordable homes to be required?

Commuted Sums

2.9 Where affordable housing is not provided on site developers can make financial payments so that affordable homes can be provided elsewhere in the district; these are known as commuted sums. The SPD will provide guidance on:

- When a commuted sum will be accepted;
- How to calculate the commuted sum; and
- How the commuted sum will be used.

2.10 It is proposed that commuted sums will be accepted in two circumstances:

- When fewer than five social rent, affordable rent and intermediate homes are to be provided on site; and
- When no registered provider is willing or able to take on the social rent, affordable rent or intermediate homes required on site.

2.11 Following discussions it is considered that the provision of fewer than five social rent, affordable rent and immediate homes in an area is not appropriate from a management point of view. As such, where fewer than five social rent, affordable

rent and immediate homes would be provided on site a financial contribution will be secured instead, unless there are other properties in the immediate area managed by the same registered provider.

2.12 Developers will be required to offer the affordable housing to appropriate registered providers. Where none are willing or able to take on the affordable houses a commuted sum will be accepted instead. A cascade clause will be included in the s106 agreement to set this out.

2.13 The on-site provision of starter homes will still usually be secured as there are no housing management implications or need for a registered provider.

2.14 The table below sets out the minimum size of sites when on site provision will generally be sought however applicants are advised to contact the District Council to confirm whether a on-site provision or a commuted sum will be required:

Size of site for on-site provision

	Brownfield	Greenfield
Zone 1	90 dwellings	45 dwellings
Zone 2	45 dwellings	23 dwellings

Question 10

Do you agree that commuted sums should be accepted where there would be fewer than five social rent, affordable rent and intermediate homes on site?

Question 11

Do you agree that commuted sums should be accepted where no registered providers are willing or able to take on the social rent, affordable rent and intermediate homes required on site?

Question 12

Do you have any comments about the proposed approach to establishing when to accept commuted sums?

2.15 It is proposed to establish the financial contribution by establishing a per dwelling figure based on the build cost and plot values. This will ensure that an alternative plot can be developed to deliver the affordable dwelling elsewhere in the district. The table below sets out the costs for brownfield and greenfield development based on the number of bedrooms.

Commuted Sum (per dwelling)

	Brownfield	Greenfield
1 bed flat	£108,790	£106,765
2 bed house	£101,650	£96,587
3 bed house	£120,646	£114,860
4 bed house	£162,640	£154,540
5 bed house	£217,916	£207,791

2.16 Therefore a requirement for a scheme which would require on site provision of 2x2 bed houses, 2x3 bed houses and 2x4 bed houses on a brownfield site produces a contribution of £769,872.

- 2 x £101,650 = £203,300
- 2 x £120,646 = £241,292
- 2 x £162,640 = £325,280

2.17 The cost of the commuted sum will be reviewed every six months from adoption of the SPD to ensure that it reflects changes in build costs and the value of plots. Appendix C sets out the build costs and plot values used to calculate these figures. Developers are advised to contact the District Council to establish the updated cost of commuted sums.

2.18 Once the commuted sum has been established it will be incorporated into the s106 agreement. Where a reduced affordable housing contribution has been accepted based on viability the final agreed figure will be used as the basis for calculating a commuted sum if required.

Question 13

Do you agree that establishing a per dwelling figure is the most appropriate way of establishing the commuted sum?

Question 14

Do you have any comments on the build costs or plot values used to calculate the per dwelling figure?

Question 15

Do you have any comments about the approach to calculating the financial contribution?

2.19 Once the commuted sum has been paid the Council will look to provide affordable housing off-site; this may include:

- The provision of affordable homes on council land;
- Working with landowners and Registered Providers to deliver sites of affordable homes;
- Purchasing dwellings and bring them up to an appropriate standard for social rent, affordable rent or intermediate homes; and
- Support for the activities of the Open Market Homebuy scheme.

2.20 To ensure that the need for affordable homes is met in the area, financial contributions will be spent within the area that they are collected. This means that contributions from schemes within the Mansfield Urban Area will be used in the Mansfield Urban Area while contributions from schemes in Warsop Parish will be spent in Warsop Parish ⁽⁵⁾.

Question 16

Do you agree with how commuted sums will be spent?

Question 17

Do you agree with where financial contributions will be spent?

⁵ Warsop Parish is made up of the wards of Market Warsop, Medan, Netherfield and Warsop Carrs. Mansfield urban area is made up of all other wards

Question 18

Do you have any comments about the approach to spending commuted sums?

Viability

2.21 Policy H4 sets out the policy requirement for affordable housing; this is the level of affordable housing that is expected to be delivered and is based on an assessment of viability of the local plan including all its requirements. Evidence to support this can be found online ⁽⁶⁾. In some cases, however, the level identified in the policy means that the scheme is not viable and cannot therefore be delivered. In these cases it may be appropriate to consider changing the mix and / or level of affordable housing so the site can be developed.

2.22 Where developers consider that schemes are not viable with the cumulative impact of policy requirements including affordable housing, education, open space and other requirements they will be required to submit a viability assessment to demonstrate this. A viability assessment is a process of assessing whether a site is financially viable by looking at whether the value generated by a development is more than the cost of developing it including the provision of a reasonable profit.

2.23 The National Planning Practice Guidance sets out the approach to viability assessments and how they should be carried out. In summary the guidance requires that developers:

- justify the need for a viability assessment due to the particular circumstances of the scheme;
- base their appraisal on the viability assessment carried out for the local plan and provide evidence of what has changed since that assessment;
- support the assessment with appropriate available evidence;
- ensure that the assessment is proportionate, simple, transparent and publicly available; and
- use the key inputs set out in the national planning guidance on the following matters:
 - gross development value;
 - costs;
 - land values;
 - existing use value; and
 - return to the landowner.

6 <https://www.mansfield.gov.uk/local-plan/evidence-support-local-plan-1/7?documentId=316&categoryId=20443>

2.24 The Council will then commission suitably qualified and experienced experts to review the viability assessment to ensure that it reasonably reflects the viability of the scheme. The review will also consider a number of scenarios to establish if there is a mix and level of affordable housing that would deliver a viable scheme. The cost of this review will be met by the developer.

2.25 If it is established that the cumulative impact of the policy requirements mean that the scheme is not viable then it is appropriate to consider whether or not to take steps to make the site viable. Considering whether to take such steps will be based on the following factors:

- whether the scheme accords with the policies in the development plan;
- whether the scheme uses previously developed land;
- whether the scheme is located within a regeneration area identified in the local plan;
- whether there is a five year housing land supply and, if not, whether the scheme will contribute to providing one;
- any other contributions sought; and
- other benefits of the scheme.

Question 19

Do you agree that the identified factors should be used when establishing whether or not to vary the affordable housing requirement?

Question 20

Do you have any comments about the approach to accepting a different mix of affordable homes?

2.26 If it is concluded that it is appropriate to vary the affordable housing requirement the following sequential approach will be used:

1. varying the mix of affordable homes to increase the number of intermediate and/or starter homes to a level that makes the scheme viable; then, if this does not produce a viable scheme
2. decreasing the percentage of affordable homes to a level that is viable alongside the other policy requirements.

2.27 If under 2 the level of affordable homes for rent decreases to fewer than five social rent, affordable rent and immediate homes a financial contribution will be accepted in line with the approach detailed above.

Question 21

Do you agree with the approach to vary the mix of affordable homes before considering reducing the percentage of affordable homes required?

Question 22

Do you have any comments about the proposed approach when sites are demonstrated not to be viable?

Vacant Building Credit

2.28 To incentivise the reuse of brownfield land the NPPF (paragraph 63) provides a 'credit' for vacant buildings. This credit reduces the affordable housing contribution by an amount equivalent to the size of the building that is brought back into use or demolished.

2.29 Planning guidance sets out that, where a building which has not been abandoned is brought back into use or demolished, the affordable housing contribution should be reduced by an amount proportionate to the gross floor space of the relevant buildings.

2.30 To establish the credit the gross floor space of the relevant buildings should be identified; this is measured from the external footprint of the building. This floor space is then converted into a number of houses by applying an average floor space of three bed property of 90sqm ⁽⁷⁾. This number of homes is then taken off the total that is required by the policy. The revised requirement can then be used to calculate the financial contribution if necessary.

2.31 In considering whether a building has been abandoned the planning guidance identifies that this is a matter for the local planning authority to decide taking into account the following factors:

- the condition of the property;
- the period of non-use;
- whether there is an intervening use;
- any evidence regarding the owners intention;

- whether the building has been made vacant for the sole purpose of redevelopment; and
- whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.

Question 23

Do you agree with how it is proposed to calculate and apply the vacant building credit?

Question 24

Do you have any comments about how to determine whether a building has been abandoned?

Question 25

Do you have any comments about the vacant building credit?

Build to Rent

2.32 Build to Rent is defined in the NPPF as housing that is purpose built to rent out. It can form part of a larger mixed tenure site but will typically be owned and managed by a single landlord. Affordable housing on Build to Rent schemes should be provided as ‘affordable private rent’ although alternatives such as commuted sums may also be acceptable. These are homes rented out by the landlord at a discount of at least 20% on open market rents. A claw back arrangement should be put in place if to recover the value of the affordable dwelling if these properties are subsequently sold.

2.33 The NPPG sets out that 20% of the dwellings provided as build to rent should be affordable with a rent at least 20% below open market rents. Build to rent developers will be required to provide evidence to demonstrate that the affordable private rents will be at least 20% below the average open market rent for comparable properties within Mansfield district. Evidence from a wider area will only be accepted if there are insufficient comparable properties within Mansfield district. The scale of the discount will be fixed through the s106 agreement.

2.34 Decisions about the eligibility for private affordable rent properties is agreed between the landlord and local authority but final decisions lie with the landlord; the final criteria will be included in the s106 agreement. Eligibility should be established using the median private rental cost for Mansfield provided by the Valuation Office ⁽⁸⁾.

2.35 The table below sets out the median private monthly rents and the eligible level of rent (i.e. 80% of median rent) for build to rent within Mansfield district at the time of writing; the eligible rent level should be reviewed as and when the property is rented out or tenancy is reviewed.

Eligible Rent levels

	Median Monthly Rent	Eligible Rent Level
1 bed properties	£390	£312
2 bed properties	£475	£380
3 bed properties	£550	£440
4 bed properties	£750	£600

2.36 It is considered that households should not spend more than 30% of their income on housing. This means that, at the time of writing, to be eligible for the affordable rent provided on build to rent scheme household income should not exceed the following:

- 1 bed - £1,040 per month or £12,480 per annum;
- 2 bed - £1,267 per month or £15,204 per annum;
- 3 bed - £1,467 per month or £17,604 per annum; or
- 4 bed - £2,000 per month or £24,000 per annum.

2.37 Eligible incomes levels will be reviewed as and when applications for Build to Rent schemes are submitted reflecting up to date information on median rents in the district.

2.38 Where affordable private rent properties are to be sold in future the NPPG sets out that a clawback arrangement should be entered into to recoup the lost public benefit of the affordable dwelling. The NPPG goes on to set out that the clawback should be calculated based on the price at which the property is to be sold and the rental discount established in the s106 agreement. So for a property that is sold for £250,000 with a discount of 20% the clawback would be £50,000.

Question 26

Do you agree that 20% of Build to Rent schemes should be provided as affordable private rent?

Question 27

Do you agree with the use of median private monthly rents to establish the rental level for affordable private rent?

Question 28

Do you agree with the approach to eligibility and the proposed level on income required?

Question 29

Do you have any comments about the approach to affordable housing on Build to Rent schemes?

Design and Layout

2.39 The Local Plan seeks to ensure that all new developments achieves a high standards of design and amenity which reflects local context, circumstances and opportunities to create safe and attractive neighbourhoods. A number of policies, notably P1 to P7, set out expectations for new development and how they will contribute to place making.

2.40 In relation to affordable homes, it is important that these are integrated into the rest of the housing provided on site and should be indistinguishable from it. Any shared facilities provided must be accessible to all residents of the scheme and separate accesses must not be provided.

2.41 To ensure mixed and balanced communities' affordable housing should generally be provided throughout the development and not put into one area as a large cluster. This is likely to be easier to achieve on large schemes and a flexible approach will be taken rather than trying to define too precisely what is meant by a cluster. Small groups of affordable homes will be accepted.

Question 30

Do you agree with the proposed approach to design and layout for affordable housing?

Question 31

Do you have any comments about the design and layout for affordable housing?

2.42 Standards for the size of properties can be put in place through the planning system using the Nationally Described Space Standards⁽⁹⁾. In order to do this policies should be included in the Local Plan. As a policy was not included in the Local Plan it is not possible to require this through the SPD. However, the Council supports the use of the space standards in planning applications as a way of ensuring that new homes provide sufficient space for residents.

2.43 The Space Standards deal with internal space within new dwellings and provides technical details for bedroom, storage and floor to ceiling heights. In terms of the minimum gross internal floor areas and storage requirements this is set out in the table below.

Nationally Described Space Standards

No. of Bedrooms	Number of bed spaces (people)	1 Storey dwellings	2 storey dwellings	3 storey dwellings	Built in storage
1 bed	1 person	39sqm			1.0sqm
	2 person	50sqm	58sqm		1.5sqm
2 bed	3 person	61sqm	70sqm		2.0sqm
	4 person	70sqm	79sqm		
3 bed	4 person	74sqm	84sqm	90sqm	2.5sqm
	5 person	86sqm	93sqm	99sqm	
	6 person	95sqm	102sqm	108sqm	
4 bed	5 person	90sqm	97sqm	103sqm	3.0sqm

9 <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

	6 person	99sqm	106sqm	112sqm	
	7 person	108sqm	115sqm	121sqm	
	8 person	117sqm	124sqm	130sqm	
5 bed	6 person	103sqm	110sqm	116sqm	3.5sqm
	7 person	112sqm	119sqm	125sqm	
	8 person	117sqm	124sqm	130sqm	
6 bed	7 person	116sqm	123sqm	129sqm	4.0sqm
	8 person	125sqm	132sqm	138sqm	

2.44 While there is no policy requirement for schemes to meet the above standards they are presented as good practice. Schemes which accord with the Space Standards will be supported.

Question 32

Do you agree that, while not a requirement, the Nationally Described Space Standards are best practice and should be supported?

Question 33

Do you have any comments about the approach to space standards?

Older Persons Accommodation

2.45 It is widely acknowledged that one of the key challenges facing society is the ageing population. The NPPF and NPPG are clear about the role of the planning system in planning to meet the needs of the elderly in terms of providing well designed and inclusive environments and especially meeting housing needs.

2.46 Policy H6 of the emerging Local Plan sets out support for development of specialist accommodation that falls within C2 of the use class order; this includes sheltered and extra care accommodation to meet the needs of older people. As with space standards, requirements for properties to be built to a certain accessibility standard can also be set through the Local Plan; these standards help create safe, accessible environments and promote inclusion and community cohesion.

2.47 Policy can be put in place for a certain percentage of homes to meet requirements in Part M4(2) (accessible and adaptable dwellings) and M4(3) (wheelchair user dwellings) of the Building Regulations. These set out that dwellings should provide:

- step-free access to the dwellings, car parking and any communal areas;

- step-free access on the ground floor to a toilet and any associated private outdoor space;
- the ability to be used by a wide range of people potentially including provision of sufficient internal space for wheelchair users;
- features to enable common adaptations to be carried out in future; and
- wall mounted switches, electrical sockets and other controls that are reasonably accessible to people with reduced height.

2.48 As with the space standards, it is not possible to require the provision of dwellings which meet either Part M4(2) or M4(3). However, it is proposed to support the provision of properties which meet these standards.

Question 34

Do you agree that use of the Adaptability Standards should be supported?

2.49 There is also a need to ensure that specialist accommodation for the elderly includes a proportion of affordable homes to meet the needs of all people. It is proposed to require the provision of affordable housing on elderly accommodation schemes which fall within use class C3 on the same basis as other schemes. This approach has been supported by appeal decisions ⁽¹⁰⁾.

2.50 However, it is proposed that this will be split 30% social rented, 30% affordable rent and 40% intermediate.

2.51 As with other schemes, the amount and mix of affordable housing may be altered if viability justifies it. Through the viability assessment account will be taken of difference in build costs and risk due to the nature of the proposal. Commuted sums may also be acceptable.

Question 35

Do you agree with the proposal to require affordable housing on elderly accommodation schemes that fall within use class C3 on the same basis as other schemes?

Question 36

Do you agree with the proposed split between social rent, affordable rent and intermediate affordable housing for elderly affordable housing?

Question 37

Do you have any comments about the overall approach to elderly accommodation?

Appendix A

NPPF Definition of Affordable Housing

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

Appendix B

Local Plan Policy H4

4.1 Affordable housing

1. The proportions of affordable housing required on market housing sites are:
 - a. within Zone 1 (as shown in Appendix 6):
 - i. 10% on greenfield land; or
 - ii. 5% on brownfield land.
 - b. within Zone 2 (as shown in Appendix 6):
 - i. 20% on greenfield land; or
 - ii. 10% on brownfield land.
2. These proportions apply to sites of:
 - a. 10 or more dwellings; or,
 - b. where the site area is 0.5 hectares or more.
3. The council will consider the type of property and tenure in relation to identified needs.
4. Off-site commuted sums of an equivalent value may be made in lieu of on-site provision (in total or in part) where on-site provision is satisfactorily demonstrated not to be justified or where such off-site contributions can be shown to contribute to the successful development of other affordable housing and or regeneration schemes within the district.
5. Proposals which do not meet the above policy requirements will only be acceptable, where it is satisfactorily demonstrated, that a different level or mix of affordable housing is required to make the development viable and the approach contributes towards creating mixed and balanced communities.

Appendix C

Commuted Sum Calculations

5.1 In order to calculate commuted sums a price per dwelling will be established. This will be based on the build cost and plot values and will ensure that the commuted sum covers the cost of providing an equivalent dwelling on an alternative site. As plot values differ between brownfield and greenfield land so figures are provided by land type.

5.2 Information is taken from the Whole Plan & Community Infrastructure Levy Viability Assessment (June 2018) which can be found online ⁽¹¹⁾. Information will be updated every six months using the Building Cost Information Service (BCIS) and data on plot values.

Brownfield Sites

	Size (sqm)	Build Cost (per sqm)	Total Build Cost	Plot Value	Commuted Sum
1 bed flat	65	£1530	£99,450	£9,340	£108,790
2 bed house	75	£1044	£78,300	£23,350	£101,650
3 bed house	90	£1044	£93,960	£26,686	£120,646
4 bed house	120	£1044	£125,280	£37,360	£162,640
5 bed house	164	£1044	£171,216	£46,700	£217,916

Greenfield Sites

	Size (sqm)	Build Cost (per sqm)	Total Build Cost	Plot Value	Commuted Sum
1 bed flat	65	£1530	£99,450	£7,315	£106,765
2 bed house	75	£1044	£78,300	£18,287	£96,587
3 bed house	90	£1044	£93,960	£20,900	£114,860
4 bed house	120	£1044	£125,280	£29,260	£154,540
5 bed house	164	£1044	£171,216	£36,575	£207,791

11 <https://www.mansfield.gov.uk/downloads/file/968/v1-mansfield-whole-plan-and-community-infrastructure-levy-viability-assessment-2018>