

# Housing

## Supplementary Planning Document

February 2020



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## Foreword

Good quality housing is vital and it is important that our housing stock is appropriate to meet the needs of our communities; including the provision of a mix of housing to meet the differing needs.

Ensuring the housing market offers enough decent homes at a price that people can afford is one of the Council's highest priorities. Cornwall Council is committed to addressing this by ensuring a sustained supply of new homes is provided as required by the Cornwall Local Plan. Cornwall Council plays a considerable role in delivering affordable housing, with proactive investment and direct delivery programmes.

Affordable housing is typically provided through planning obligations resulting from new developments. Securing the optimum amount and quality of affordable housing from new developments, to meet the local need, is therefore a key objective of the Local Planning and Housing Authorities.

The Cornwall Local Plan provides the framework for this, and includes a range of high-level strategic policies relating to housing. In some areas there are also Neighbourhood Development Plans which provide local policies. This Supplementary Planning Document (SPD) sits beneath the Local Plan and provides operational, technical and detailed guidance to support the delivery of new residential developments, and clarity as to how the policies from the Local Plan should be interpreted and implemented by developers, landowners and the public.



## Introduction

1. We must plan for the housing needs of our communities. The delivery of new housing development of the right quantity, quality and type is fundamental to achieving sustainable communities.
2. The adopted Cornwall Local Plan provides the overarching strategic policies for the provision of housing. The aim of this Housing Supplementary Planning Document (SPD) is to provide additional guidance on how the policies in the Local Plan will be implemented. The SPD does not set new planning policy.

## Policy context

3. The policy framework for decisions regarding the delivery of housing is set out in the National Planning Policy Framework, the Cornwall Local Plan, including the Strategic Policies, Site Allocations Development Plan Document (DPD) and Minerals Safeguarding Development Plan Document (DPD) and where applicable a Neighbourhood Development Plan. These Plans also include policies on other matters such as transport, environment, landscape and waste and should be read as a whole.

## National Planning Policy Framework

4. Government policy for the delivery of housing is set out in the National Planning Policy Framework (NPPF). In relation to the delivery of homes the NPPF focuses on:
  - promoting high quality design of new homes and places;
  - stronger protection for the environment;
  - building the right number of homes in the right places;
  - greater responsibility and accountability for housing delivery from councils and developers.

## Cornwall Local Plan - Strategic Policies

5. The adopted Strategic Policies of the Cornwall Local Plan<sup>1</sup> contains a number of policies to ensure our housing market is appropriate to meet the needs of the community. The Local Plan seeks to address Cornwall's whole market need through the delivery of a minimum of 52,500 new homes by 2030 (Policy 2a).
6. In addition, there are a number of policies in the Plan that guide the development of new homes, specifically affordable and specialist housing, these are:

**Policy 2:** Spatial Strategy - which supports the provision of work hubs and the ability to work from home through live/work units.

**Policy 6:** Housing mix - states that new housing developments of 10 or more dwellings should include an appropriate mix of house size, type, price and tenure to address identified needs and demands including self-build and custom-build. The policy also makes reference to responding to the requirements of a changing population by increasing the supply of accessible, specialist housing and extra care housing (on sites of 200 dwellings or more and where demand exists).

**Policy 7:** Housing in the Countryside - which only permits the development of new homes in the open countryside where there are special circumstances such as a replacement dwelling.

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1 [www.cornwall.gov.uk/localplancornwall](http://www.cornwall.gov.uk/localplancornwall)



**Policy 8:** Affordable housing - sets the requirements for affordable housing provision including the various target levels of affordable housing in each zone.

**Policy 9:** Rural exception sites - sets out the provision for sites outside of but adjacent to the existing built up area of small towns, villages and hamlets and requires these to be affordable housing led.

**Policy 10:** Managing viability - where evidence suggests that a proposal cannot deliver the full quota of affordable housing without affecting the viability of the scheme, consideration will be given to approaches to secure the maximum affordable housing contribution, i.e. subsidy, flexibility in tenure, transfer of serviced plots, negotiation of on-site affordable provision or off-site contribution.

7. The affordable housing requirement set out in the Local Plan has been tested and the Plan is considered up to date. Planning applications that comply with the policy requirements, in terms of affordable housing, are considered to be viable. It is for an applicant to demonstrate where particular circumstances justify the need for economic viability assessment at the application stage.
8. Whilst these policies specifically relate to housing, the Local Plan must be read as a whole, including any Development Plan Document and Neighbourhood Development Plan (where relevant).



## Affordable housing products

9. The Local Plan Policy 8 sets a broad requirement for 70% of new affordable housing to be provided as rented, with the remaining 30% to be provided as intermediate affordable housing for rent (or more typically) sale. This requirement can be met through a range of different tenures which are explained in further detail below.
10. Homes provided as affordable should be secured as such with appropriate local connection and nomination rights granted to the Council, via a suitable planning obligation. Providers of such accommodation should also be approved by the Council on a scheme-by-scheme basis to ensure compliance with the requirements.

## Rented homes owned or managed as affordable housing

11. The definition of affordable housing for rent is set out in the NPPF<sup>2</sup>; housing which meets all of the following criteria:
  - (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent;
  - (b) the landlord is a registered provider<sup>3</sup> and appropriate location connection and nomination rights are granted to the Council via a suitable planning obligation; 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.

## Affordable rented housing

12. Affordable rented housing is owned and rented by Registered Providers<sup>4</sup> (unless part of a Build to Rent scheme<sup>3</sup>) who need to be registered with Homes England. These homes should be rented out to households who are eligible for social rented housing. Rents (including service charges where applicable) are capped at up to 80% of open market rent or the published Local Housing Allowance (LHA)<sup>5</sup> for the relevant property type (whichever is the lower).

## Social rented housing

13. Social rented housing is generally owned and/or managed by local authorities or Registered Providers, for which 'Target Rents' are determined through the national rent regime. Social rents are explained in Section 80 of the Housing and Regeneration Act 2008 (as amended) and are typically lower than affordable rents.
14. Social rent is supported by the Council's Affordable Housing Team as it offers tenants a secure form of housing with lower rents than the Affordable Rent product. Although the rent will vary depending upon location and house type, based on current evidence typical rents are equivalent to 45-55% of open market rents. This is important for ensuring the long-term affordability of housing to local people on low wages.

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<sup>2</sup> Annex 2 (a), page 64

<sup>3</sup> Except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider)

<sup>4</sup> as defined in section 80 of the Housing and Regeneration Act 2008

<sup>5</sup> The Valuation Office Agency (VOA) is responsible for calculating the LHA for Cornwall. They consider the rents charged on different property sizes and types throughout Cornwall and calculate the amount of support that would be required to sustain such homes. To check the Local Housing Allowance visit <http://lha-direct.voa.gov.uk/search.aspx>

15. Whilst a valuable product in terms of the benefit it provides to tenants, such accommodation can impact on the economic viability of a scheme (as the capital value generated from the rental income is lower than other rented affordable housing). However, the Council is seeking to encourage new social rented housing in certain circumstances.

### Affordable Housing for Sale (intermediate tenure housing)

16. The NPPF states that Rural Exception Sites are used for affordable housing in perpetuity. The NPPF also states that 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.

### Shared Ownership

17. Shared Ownership enables households an opportunity to purchase a share in a home with a mortgage, whilst paying a rent on the remaining unowned share. Shared Ownership is a common form of new affordable housing for sale, as it is widely supported by the main mortgage lenders.
18. Shared Ownership may be provided by either Registered Providers or the Local Authority. An initial share (usually between 25% and 75%) is bought and then rent is paid to the Registered Provider or Local Authority on the remaining unowned share. Due to the comparatively high house prices in Cornwall, the maximum amount of rent that should be charged over a 12-month period is 2.5% of the open market value of the unowned share. Shared Ownership homes are sold on the basis of one of Homes England's standard model leases<sup>6</sup>. Purchasers can typically purchase additional shares of equity in the property when they can afford to do so.
19. To ensure affordability, the Council will 'sense check' the total monthly costs (mortgage payment and rent) which needs to be significantly less than renting or purchasing a similar home on the open market in order to meet the NPPF definition of affordable. Where the Council does not consider that the proposed home will be affordable, for example where the value and/or the required rent is too high, alternative house types or sizes or an alternative product should be provided (in order to meet the NPPF definition of affordable).
20. Shared ownership homes are common in Cornwall and are generally the Council's preferred product for affordable housing for sale. In general, Shared Ownership works best with 2 and 3-bedroom houses, in terms of affordability and demand. One-bedroom bungalows may also be appropriate, where there is sufficient evidence of local need, and affordability. There can be difficulties associated with demand and mortgage lending on shared ownership leasehold flats. Therefore, Shared Ownership flats are generally not encouraged, unless justification can be made (with the exception of extra care flats).

### Discounted ownership

21. Discounted market sale or intermediate sale homes have been provided in large numbers in Cornwall over the last 10-15 years. The model is relatively simple in that a new property is sold by the developer at a fixed discount from market value to make it more affordable to local people. The fixed discount remains on all future re-sales to ensure it remains affordable for future households.
22. Discounted market sale homes will be sold for prices based on the guideline discount percentage for the relevant value zone or the local purchasing power and target price, **whichever is the lower**. Guideline discount percentages and target sales prices for each of the five 'value zones'<sup>7</sup> are provided in Appendix 1.

<sup>6</sup> <https://www.gov.uk/guidance/capital-funding-guide/1-help-to-buy-shared-ownership>

<sup>7</sup> The Local Plan's Strategic Viability Assessment sets five 'Value Zones' across Cornwall, which have been defined based on their comparative affordability (due to the size and nature of Cornwall's geography and variable housing markets). These are provided in list and map form in the Local Plan.

23. The discount percentages have been set following a comprehensive assessment of local sales values in combination with the average 'purchasing power' of a typical household based on an assessment of local incomes. Discounts are therefore based on the varying house prices in each zone and the average 'purchasing power' for Cornwall. As the variables change over time and need to be refreshed periodically, the figures and methodology are set out in Appendix 1.
24. It is important to note that where the guideline discount percentage results in a price which the Council considers to be unaffordable, additional price reduction will be required based on local purchasing power and target sale prices (whichever is the lower). Where the Council does not consider that the discounted price will be affordable (based on local purchasing power) alternative house types or sizes or an alternative product should be provided (in order to meet the NPPF definition of affordable).
25. Discount percentages from open market values will be set in Section 106 (S106) legal agreements rather than fixed prices.
26. It is encouraged that the level of discount necessary to ensure affordability is considered at the early stage. Advice from the Council's Affordable Housing Team can be sought at the pre-application stage.
27. Discounted ownership homes work best when provided as 2 and 3 bedroom houses as these are the most in demand and affordable house type. Four bedroom houses are unlikely to be affordable in value zones 1 and 2 and in some cases value zone 3; as even with large discounts these will often not be affordable. Any discount market sale flats, in particular one bedroom flats, are generally not encouraged, as they are the least in demand and least flexible housing type. Full details are provided in Appendix 1.
28. Where the Council is concerned about the future affordability of homes by the stage they are built and valued, it may incorporate flexibility in the s106 legal agreement to switch to an alternative intermediate product, which is considered to be more affordable at the time that the homes will be sold i.e. make provision for the intermediate homes in the agreement to be provided as either discounted sale or Shared Ownership.
29. The Council will generally support the provision of an element of discounted market sale housing where the need can be evidenced. However, significant numbers of discounted sale properties on a single site are not encouraged because there are fewer mortgage lenders in the market for such properties, and a lender will typically only lend on a proportion of new homes in any one area.





## Shared equity

30. Shared equity housing is provided by way of an equity 'loan'. This is used to fund the difference between the full open market value and the appropriate level of discount (as defined by the Value Zones set out in the Local Plan). It allows low income households to purchase a home on the open market, with a repayable discount. This can reduce the requirements for a deposit and, potentially, improve the affordability of the dwelling.
31. The 'unowned' equity share is transferred and secured by the Local Authority. Typically, dwellings are sold on a leasehold basis, with the freehold retained by the Local Authority in conjunction with a restriction on Title (if necessary). The occupant may be able to 'buy-out' the Local Authority's share in the property (which would be valued at the point of transaction); however, the Council would use all receipts generated to invest in other affordable housing elsewhere in Cornwall, thus ensuring that the total affordable housing stock is not reduced.
32. Shared equity homes typically should be delivered with the unowned 'share' transferred to the Council at nil-cost. This will be used to ensure that sales are to eligible, local households.
33. Additionally, the Council would consider the provision of shared equity homes by a Community Land Trust (CLT) subject to the CLT satisfying certain requirements and obtaining written approval from the Council.

## Starter Homes

34. Starter Homes were introduced, in principle, through the Housing and Planning Act 2016 and are recognised in the NPPF<sup>8</sup> as a form of affordable housing. The Act states that starter homes are dwellings available to purchase by qualifying first-time buyers at a discount of at least 20% of the market value, up to a cap of £250,000. There are restrictions on sale and letting of these homes. The Act sets out a starter home exception site policy to enable the development of under-used or unviable industrial or commercial land, which has not been allocated for housing, for starter homes. Local Planning Authorities should not seek S106 affordable housing and tariff-style contributions that would otherwise apply.
35. Cornwall Council will consider proposals for Starter Homes on Entry level Exception Sites<sup>9</sup> where:
  - Starter Homes are to be sold at a minimum of 20% below the open market value and be affordable based on local purchasing power;
  - Starter Homes are required to meet the minimum space standards under Policy 13 (1) of the Cornwall Local Plan<sup>10</sup> ;
  - Homes are subject to the Council's standard local connection criteria and nominations.
36. In general in the absence of any further details from the Government, the Council will not generally encourage starter homes as part of an affordable housing obligation unless the discount proposed makes the purchase price affordable based on local purchasing power.
37. As set out in the NPPF, Starter Homes cannot be provided as part of the affordable housing component on Rural Exception Sites because such housing must remain affordable, therefore the discount would be required on all future re-sales.

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8 Annex 2 (b), page 64

9 As defined in the Glossary

10 This policy now applies to Starter Homes as the national definition of Affordable Homes has been updated in the NPPF

## *Rent to buy*

38. There are several models of Rent to Buy products; however, all effectively provide housing initially on an affordable rented basis, which may be converted to either outright ownership or shared ownership over time. Generally, such products are supported in principle by the Council's Affordable Housing Team subject to approval of the details of provision including affordability, particularly where such housing is provided over-and-above the S106 obligation associated with a planning permission.
39. The NPPF states that homes on rural exception sites are to include provisions to remain at an affordable price for future eligible households. Rent to Buy products can only be considered NPPF compliant if the homes convert to Shared Ownership over time, which is suitably restricted as such for all time; or the 'subsidy' element of a sales receipt is returned to the Local Authority to reinvest in other affordable housing accommodation, or where there is a guarantee that all sales proceeds are used to fund further affordable housing in Cornwall. Similarly use of grant funding for rent to buy homes will only be applicable on this basis.
40. On policy 8 sites, rent to buy will be considered as part of the 30% intermediate tenure target (providing another route to home ownership) and not as part of the 70% requirement for affordable rented tenure.
41. Where rent to buy products are agreed in accordance with the above, these should typically be provided through an approved Registered Provider or Community Land Trust. They will also be secured by an appropriate planning obligation to ensure they constitute affordable housing and provide nomination and sales rights to the Council.



## Living Rent

42. Cornwall Living Rent is an emerging tenure being developed by the Council. It is designed to reflect property size but remove the link to property values. The model links initial rents to an index of earnings and uses a recognised equivalence scale to allow for income and property size to vary over time. Homes are designed to meet an intermediate housing need which enables tenants to rent their homes at a significant discount initially with an ability to purchase their home after a few years by investing the money they are not spending in private rent towards purchasing a home of their own.





## Planning Obligation Thresholds

43. Affordable housing is a planning obligation which is most commonly secured by a section 106 (S106) legal agreement. The Government has published guidance on thresholds for planning obligations which can be secured by S106<sup>11</sup> and these are also set out in the National Planning Policy Guidance. Cornwall Local Plan Policy 8 also sets out the thresholds for affordable housing obligations. Further details on thresholds, including the Council's approach to small sites is provided in a guidance note on the Council's website <https://www.cornwall.gov.uk/housing>
44. Proposals which fall under the threshold but still wish to provide affordable housing are not discouraged and the affordable homes can be secured in a different way, for example through a Nominations Agreement. The Council's Affordable Housing Team can advise on a case-by-case basis.
45. The Local Plan does not support the subdivision of sites, i.e. to attempt to circumvent the site size threshold for affordable housing obligations. For example, by a phased development, by the subdivision of a larger site, or by artificially lowering the number of units proposed. To clarify; the subdivision provisions of the Local Plan applies equally to Policy 8 or Policy 9 sites and in both cases the Council will apply due scrutiny. For policy 9 sites this will include scrutinising whether proposals have been contrived to seek to create future infill development.

## Types of development subject to affordable housing obligations

46. Policy 8 of the Local Plan requires new housing development of 10 units or more to contribute to affordable housing. The Use Class Order<sup>12</sup> establishes a range of different use classes that comprise housing/residential development. For clarity, only the following forms of housing development are intended to be required to contribute towards affordable housing under Local Plan Policy 8:
  - C3 dwelling-houses - including residential elements of mixed-use schemes and conversion to residential use;
  - Self-contained units for people of pensionable age e.g. retirement apartments;
  - Sheltered housing or extra care development that comprise self-contained dwellings;
  - 'Park Homes' which are permanent places of residence for occupiers.
47. Whilst the following forms of development are typically not required to contribute to affordable housing:
  - C2 residential institutions (that do not comprise self-contained dwellings);
  - Specialist or supported housing schemes provided and managed by the local authority or Registered Provider (that are not self-contained dwellings);
  - C1 Hotels;
  - Purpose built student accommodation permitted as non-permanent places of residence, for example university student accommodation and boarding schools / colleges;
  - Accommodation limited to holiday use through a planning condition;
  - Residential conversions within Permitted Development Rights;

<sup>11</sup> <https://www.gov.uk/guidance/planning-obligations>

<sup>12</sup> <http://www.legislation.gov.uk/uksi/1987/764/schedule/made>



- Dwellings in rural areas permitted because they are necessary for those employed in a specific business or industry to reside in, and that are subject to specific occupancy conditions, as defined by Policy 7.
48. Applications for development that falls within C4 (Houses in Multiple Occupation (HMOs)) and Sui Generis (larger houses in multiple occupation) will be determined on a case-by-case basis.

## Vacant building credit

49. The Vacant Building Credit (VBC) is designed to encourage the effective re-use of land by re-using sites for housing that have been previously developed. Where a qualifying vacant building is brought back into use or is demolished to be replaced by new development, the existing gross floorspace of the vacant building may be discounted when calculating the affordable housing obligation. The Council's approach to applying the VBC is provided on its website<sup>13</sup>.

## Rounding up the affordable housing provision

50. Policy 8 requires between 25-50% affordable housing to be provided on-site depending upon which Value Zone the site is located within. Where this results in a 'fraction' of a unit, this should be provided as a proportional off-site contribution. For example, a scheme that should provide 8.7 affordable homes will provide 8 homes on-site, with the remaining 0.7 of a unit providing an off-site contribution of 70% of the off-site tariff. This is subject to overall scheme viability.

## Removal of holiday use conditions

51. The Council's approach is set out in an online guidance note: search for holiday conditions at <https://www.cornwall.gov.uk>

## Affordable housing-led schemes and main towns

52. Although the principle of an affordable housing-led (in accordance with Policy 9) approach in those main towns set out in Policy 3 is not specifically outlined in the Local Plan; for clarification it is not the Plan's intention to limit affordable housing led windfall development to being solely in rural areas nor to reduce the opportunities to meet housing need. To do so would prevent Registered Providers, developers and philanthropic land owners from bringing forward land for affordable housing-led sites on the edge of Main Towns, where the need for such housing is often most acute.
53. It is important that appropriate scale affordable housing led schemes, with high proportions of affordable housing, continue to be delivered in sustainable locations which include main towns.

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13 <https://www.cornwall.gov.uk/housing>

## Defining local need

### Context

54. The provision of affordable housing is particularly important in our rural areas, where the development of even just a few new affordable homes can ensure the sustainability of villages and communities in the long term.
55. The Council's approach to assessing housing need for individual sites is outlined in Policies 8 and 9 of the Local Plan, but a detailed explanation is provided below for clarification. It should be noted that Neighbourhood Development Plans should not seek to vary the criteria used to determine local housing need (or eligibility to access such homes once built), as this is set by strategic policy contained within the Local Plan and homes will be allocated in accordance with the Council's strategic housing allocation policy (Cornwall Homechoice).

### Methodology

56. As set out in the Local Plan, housing need will always be considered at the parish level (if a site is in a parish) or town level (if a site is in a town). The need for rented affordable homes is predominantly assessed by considering those 'qualifying' households on the Cornwall Homechoice housing register with a local connection to the specific parish or town, and homes are allocated on this basis. Similarly, the need for affordable homes to buy is assessed by considering those households with a local connection that are registered with the Council's housing register for such accommodation. Where necessary supplementary evidence may include a specific local needs survey completed using an approved methodology (see Glossary - Housing Needs Survey). The Council's local connection criteria are provided in Appendix 3 and are used in S106 legal agreements to secure both rented and intermediate affordable homes for local people.
57. New affordable homes are, in the first instance, typically only available<sup>14</sup> to households with a local connection to the parish or town in which the site is located. If an insufficient number of households with a primary local connection choose to let or buy the homes, the homes 'cascade' out and become available to eligible households with a secondary connection, i.e. a location connection to the adjoining or surrounding parishes. If, having considered all eligible households with a primary or secondary local connection, affordable homes are still available on a site; the cascade is further widened to include any household with a connection to Cornwall. This will be explicitly stated in the S106 agreement for the development.
58. When assessing the housing need of an area, the Council may also consider (amongst other things) other sites that may deliver homes to meet some of the identified local need. Balancing local housing need with known new housing supply is a matter of judgement for the Council in its roles as Local Housing and Planning Authorities. Such considerations are undertaken on a case-by-case basis. Typically, the number of existing permitted affordable dwellings will be subtracted from the level of identified housing need to identify the level of extant housing need in an area. For clarity, sites will not be counted within this assessment if any of the following apply:
  - The planning permission is not considered deliverable within a 'reasonable period' (as determined by the Council having due regard to the NPPF);
  - Sites where only outline consent has been achieved (and are therefore not immediately deliverable); or,
  - Sites that are considered by the Council to be 'stalled'.
59. The Council may also seek to time-limit permissions for rural exception sites to encourage early delivery and prevent a proliferation of permissions that do not meet the extant housing need.

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<sup>14</sup> Allocated in accordance with the Cornwall Homechoice allocations policy or the Council's affordable home ownership allocations policy

## Cluster Parish Approach

60. Whilst Policy 2 of the Local Plan supports organic growth, there are some areas in Cornwall where, due to local geography or limited sustainability etc., it is unlikely that much new housing development will be achieved. It is therefore also unlikely that local households in need of affordable housing will have many - if any - opportunities to secure an affordable home in these areas.
61. As outlined above, the Council considers that new affordable homes should generally be for the benefit of households in the parish in which the homes are built. However, in recognising that some areas are unlikely to provide affordable housing growth organically, it is sometimes necessary to consider a 'cluster parish' approach. The cluster parish approach is typically used in circumstances where it is reasonable for the local housing need of one parish to be serviced through affordable housing provided in an immediately adjoining parish. Other circumstances in which this might be considered include:
- When a group of parishes decide to work together to provide affordable housing to meet their combined local housing need (for example through a joint Neighbourhood Development Plan);
  - Where a development site straddles the boundary of two parishes; or
  - Where an exception site is physically located within one parish, but due to a dispersed settlement pattern, occupants of the new site would reasonably be expected to rely on the services of the adjoining parish.
62. Where the cluster parish approach is considered appropriate by the Council (in consultation with the respective Parishes), housing need data from all areas within the cluster will be cross-referenced to generate a combined housing need position.



## Affordable housing design

### Mix, size and accessibility standards

63. The affordable housing mix (house types and sizes) should typically:
- Be designed to develop a mixed, balanced and sustainable community;
  - Broadly reflect the local identified housing needs requirements; but
  - not comprise any unbalanced over provision of one-unit type or size; and
  - Apply the nationally described space standards.
64. The Council encourages developers to consult with the Local Planning Authority through a pre-application enquiry or Planning Performance Agreement prior to submitting an application. This will help identify specific requirements. The Council also recommends including Registered Provider partners as early in the process as possible (where relevant), as their input at the design stage can help maximise the value of affordable homes and simplify the process of transferring built homes later.
65. On sites of 10 or more homes, Policy 6 of the Local Plan (Housing Mix) requires an appropriate mix of homes to meet local needs for a range of households and to respond to a changing population including homes that meet people's needs throughout their lifetime, such as bungalows and ground floor flats. The following guidance is intended to help proposals meet these requirements and provide affordable homes which will be viable to transfer to Registered Providers. The following provisions are encouraged in new developments of 10 dwellings or more:
- The provision of 1- and 2-bedroom single storey dwellings as affordable homes to help meet the needs of an ageing or less-mobile population (where there is an identified need);
  - In suitable locations where there is a need, a minimum of 10% of affordable units may be appropriate as either single storey dwellings or ground floor flats;
  - As a guide, generally no more than 15% of the affordable housing mix should be provided as flats, in order to provide a balanced community and be viable for transfer to a Registered Provider (excluding 100% flatted developments);
  - Homes which meet the needs of small households. These can be met in different ways, for example;
    - homes that can be easily extended or adapted over time,
    - units that meet a 1 bed need but provide more space than a typical 1 bed 2-person home to encourage downsizing,
    - one and a half bedroom homes which have an additional modest room suitable for use as an office or ancillary accommodation for visiting family or carers.
66. The intention of Local Plan Policy 13 is to ensure sufficient flexible internal space for everyday activities. Policy 13 requires all affordable housing to meet the Nationally Described Space Standards<sup>15</sup>. This reflects an intention to raise standards and provide homes which are sufficiently spacious to allow people to live in good standard accommodation; and for homes to be sufficiently flexible to adapt to meet people's needs throughout their lifetimes.

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15 Nationally Described Space Standards <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>



67. It is important that these policy intentions are not circumvented, by providing dwellings with fewer bed spaces in order to provide a smaller floorspace footprint to reduce the build cost to the developer (for example providing 2 bed, 3-person dwellings rather than 2 bed 4 person). This is not the intention of national or Local Plan policy.
68. Affordable dwellings must be well designed and should be of a size that provides a good level of living space for their expected maximum occupancy. The following bed spaces are used as a guideline:

Unit type	Bed spaces	
1 bed units	100% 2 person	
2 bed units	100% 4 person	
3 bed units	Minimum 75% 6 person	Maximum 25% 5 person
4 bed units	Minimum 50% 8 person	Maximum 50% 7 person

Policy 13 requires all schemes of 10 dwellings or more to provide 25% of homes as ‘accessible’ homes in accordance with Category M4 (2) of Building Regulations<sup>16</sup>.

## Design and distribution of affordable housing

69. New residential developments should be designed so that affordable housing is ‘tenure blind’; such that it is indistinguishable from market housing and interspersed in small clusters amongst open market homes, with different tenures of affordable dwellings similarly mixed. Consequently, affordable homes should be of at least the same quality as the equivalent open market home. Homes should comply with the requirements set out within the Council’s framework for design.
70. Clustering should be proportionate to the size of the development. On smaller schemes, pepper-potting in groups of two or more may be appropriate. Unbalanced, large numbers of a particular size, tenure and type of house in one area will not normally be accepted.
71. The following are considerations which may help improve overall scheme viability and future management:
- Semi-detached units and terraced units of the same tenure;
  - Well-located shared ownership units can help Registered Providers manage homes most effectively and efficiently;
  - Large properties need to consider bed spaces, future residents and the ‘liveability’ of a home - i.e. provision of indoor and outdoor amenity space, storage and soundproofing;
  - Gardens provided within property curtilage should be designed to maximise usability and practicality and retain wildlife corridors;
  - Flats are appropriate to meet the needs of some households but should be carefully designed in order to be viable for transfer to a Registered Provider and prevent possible housing management issues. The following guidance is worth considering;
    - carefully designed, self-contained maisonettes are preferable to flats - particularly if they have a separate garden and private entrance, and arranged in small blocks,

<sup>16</sup> [https://www.planningportal.co.uk/info/200135/approved\\_documents/80/part\\_m\\_-\\_access\\_to\\_and\\_use\\_of\\_buildings](https://www.planningportal.co.uk/info/200135/approved_documents/80/part_m_-_access_to_and_use_of_buildings)

- communal areas in shared blocks of flats should be carefully designed to minimise service charges. Shared tenure (i.e. open market and affordable) entrances and communal landings and stairs should be avoided,
- flats should generally each have their own entrances where possible,
- flats should generally be in small blocks where all the flats are affordable tenure,
- flats and maisonettes should have sufficient amenity areas for waste recycling,
- 2 bedrooms flats for rent above 1st floor level (other than in exceptional circumstances and accessible by a lift) will typically not be suitable to meet housing needs because generally a household with a 2 bed need will have children and need private outdoor amenity space.

## Leasehold and ground rents

72. The overwhelming majority of new houses are built and sold on a freehold basis throughout the United Kingdom. However, there are examples where developers have built new homes that have then been sold on a leasehold basis, with the freehold later being sold an investment company. Although leaseholds are common for flats and apartments (to account for the shared facilities associated with such homes), it is not necessary for houses. This has led to a number of well-publicised examples of 'hidden' leasehold charges which increase considerably over time, often with no 'cap'.
73. Such arrangements are of concern to the Local Planning Authority, particularly as this often makes a home very expensive to live in, and can make it extremely difficult to sell in future years.
74. The Government announced its intention to prevent developers building and selling new build houses on a leasehold basis although the detail of this approach has not yet been provided.
75. For clarity, it is accepted that flats will normally be sold on a leasehold basis, and this is not unusual. Where a developer proposes to provide flats as affordable housing for sale, this should be either shared ownership using the relevant Homes England lease, or on a standard discounted sale basis, with leasehold charges and ground rent restricted to the minimum required to maintain the building, which are subject to rent increases capped at the standard rate of RPI + 1%.

## Phasing

76. The phasing and timing of the delivery of affordable homes should be set out in the S106 agreement and linked to the occupation or transfer of dwellings.
77. Delivery of open market dwellings that significantly outstrip the delivery of affordable dwellings is not encouraged.
78. An example of a typical S106 agreement for a larger scheme, illustrates delivery as follows:
  - No more than 25% of open market homes to be occupied or transferred prior to completion of 25% of affordable homes;
  - No more than 50% of open market homes to be occupied or transferred prior to completion of 50% of affordable homes;
  - No more than 75% of open market homes to be occupied or transferred prior to completion and transfer of 100% of affordable homes.

## Viability Assessments

79. The NPPF<sup>17</sup> is clear that where proposals for development accord with all the relevant policies in an up-to-date development plan (like the Cornwall Local Plan); no economic viability assessment should be required to accompany an application. The affordable housing targets in Policy 8 are based on viability and have been Community Infrastructure Levy (CIL) tested. The Council therefore only expects an economic viability assessment to be submitted for a Policy 8 site in unusual circumstances. In such circumstances the developer will be required to demonstrate why, in their case, the site-specific circumstances mean the Local Plan policy is not viable, together with clear bespoke evidence.
80. In general, outline planning applications with all matters reserved are not sufficiently evolved to be able to provide robust information regarding costs and values because matters can change<sup>18</sup>. The Council therefore considers that it is usually only appropriate to assess viability at detailed planning stage.
81. The following guidance sets out our expectations for Economic Viability Assessments:
- Be in accordance with the requirements of the NPPF and NPPG<sup>19</sup> and have due regard to best practice, for example RICS guidance and the RICS Professional Standard<sup>20</sup>;
  - Will include an executive summary (as required by the NPPG);
  - Provide a clear account of the extraordinary and site-specific costs or the other very special circumstances which make the scheme unviable;
  - Provide detailed and bespoke evidence behind all non-standard benchmark assumptions;
  - Provide all measurements in square metres and be consistent with submitted plans;
  - Consider different development options which might improve economic viability (for example different mixes of tenure, unit type and size and phasing);
  - Have a realistic and sound land value,
    - on rural exception sites benchmark evidence and experience suggests that this is around £10,000 per plot for the base land cost and the Council would expect a land value in this region. On all sites consideration should be given to the total cost of all relevant policy requirements including planning obligations and any Community Infrastructure Levy charge; abnormal costs (for example contaminated land, mining features, listed buildings, groundworks, drainage etc.); site-specific infrastructure costs (for example access roads and junctions, drainage systems, green infrastructure, connection to utilities etc.); and professional fees. All of which should be reflected in the land value.
82. In accordance with the NPPF<sup>21</sup> economic viability assessments will be made publicly available along with all information relevant to any planning application, unless justified by exceptional circumstances. For more information on viability <https://www.gov.uk/guidance/viability>.

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17 Paragraph 57, page 16

18 Further details on this approach are provided in paragraphs 107-108 of this SPD

19 <https://www.gov.uk/guidance/viability>

20 RICS Professional Standard (Financial viability in planning: conduct and reporting, May 2019)

<https://www.rics.org/globalassets/rics-website/media/upholding-professional-standards/sector-standards/building-surveying/financial-viability-in-planning-conduct-and-reporting-rics.pdf>

21 Paragraph 57, page 16

83. Where a reduced percentage of affordable housing or a financial contribution below the full policy equivalent is accepted based on economic viability, the Council reserves the right to implement an economic viability review mechanism and/or impose a planning condition requiring that the development begins within a timescale shorter than the relevant default period.
84. Issuing unviable planning consents can cause stalled sites and land-banking. A proposal with an economic viability assessment which demonstrates that a scheme is not commercially and economically viable is unlikely to accord with policy because it has not been demonstrated to be deliverable. Where an economic viability assessment demonstrates a lower than reasonable level of return, together with financing costs evidence from the lending organisation which demonstrates that lending has been secured against that level of return will be requested by the Council.





## Off-site contributions

85. The guidance in the NPPF<sup>22</sup> and the Council's default position is that affordable housing should be provided on-site, unless specific circumstances apply. However, in accordance with Policy 10, in certain circumstances at the discretion of the Council consideration may be given to accepting an off-site contribution in lieu of on-site provision. Such circumstances may include where:
- The Council is satisfied that the provision of any affordable housing on-site would not be viable;
  - The affordable housing requirement results in a small number of affordable units which would not be practical or viable for transfer to a Registered Provider;
  - There is a demonstrable lack of interest from a Registered Provider to purchase the affordable properties;
  - The Council considers that on-site provision would not be deliverable or practical or best suited to local needs, for example where unaffordable service or management charges would arise from the nature of the proposed development;
  - The location of the development is not in a sustainable location, particularly in relation to access to key services such as schools, medical facilities, employment etc.;
  - Housing need could be better met in an alternative location, for example where flats are proposed when there is a need for family housing;
  - There is a dominance of a particular type of affordable housing provision in the immediate area; or
  - The Council considers that the provision of an off-site contribution could enable the delivery of a better affordable housing solution locally, than on-site provision; for example, by funding the regeneration of existing affordable housing stock.

## Off-site contribution tariff

86. In circumstances where an off-site contribution in lieu of, on-site provision is acceptable to the Council, a tariff-based approach will be applied, as set out in Appendix 2. In accordance with the NPPF, the off-site contribution tariff is set at a 'broadly equivalent' value to the cost of providing on-site affordable housing. The amount to be paid will be the equivalent 'cost to the developer' of providing the affordable units on-site. The cost will be equivalent to the difference between the open market value of a dwelling and the price that a Registered Provider would pay for the dwelling if it was provided on-site.
87. The amount of off-site contribution payable per dwelling is set in a tariff in Appendix 2, applicable in each of the three different Local Housing Allowance (LHA) areas<sup>23</sup> in Cornwall.
88. The tariff should be multiplied by the number of dwellings which would have been required on-site using the percentage requirement for the relevant value zone set out in Policy 8.

**Off-site financial contribution payable = Tariff for LHA area x number of units which would have been required on-site.**

89. Rather than calculating a bespoke contribution for each scheme, the Council has arrived at a general per dwelling tariff, based on a two-bedroom rented dwelling. The full methodology is provided in Appendix 2 and may be updated periodically when key variables change.

<sup>22</sup> Paragraph 62, page 17

<sup>23</sup> Local Housing Areas are defined by HM Revenues and Customs; you can use the postcode finder at <https://lha-direct.voa.gov.uk/search.aspx> to find out which of the three areas your property falls within.

90. Where the affordable housing obligation has not been met on-site the Council has to find an alternative site, at its own expense. The cost of this work to find an alternative site is recovered on a cost recovery basis with the inclusion of a fixed rate Enabling Activity Fee in the per-dwelling off-site contribution tariff (details of which are set out in Appendix 2).
91. Where the contribution sought by applying the tariff cannot be agreed, the fall-back position is to submit a full open-book economic viability appraisal, which may result in a lower or higher affordable housing contribution.

### Securing and investing off-site contributions

92. The Council requires the timing of payments for off-site contributions to be made at the same pace as open market dwellings are sold and/or at the equivalent rate that on-site provision would have been required. Ideally the Enabling Activity Fee is to be provided prior to the commencement of development to allow the Council to begin enabling activities to find an alternative site for delivery. The remainder will then be required at certain points throughout the construction of the rest of the site; with the entire obligation required prior to overall completion of the site.
93. An example of a typical S106 agreement, illustrates triggers as follows:
- Enabling Activity Fee prior to commencement of development;
  - 25% of the off-site contribution prior to occupation of 25% of the market homes;
  - 50% of the off-site contribution prior to occupation of 50% of the market homes;
  - 100% (or the balance) of the off-site contribution prior to occupation of 75% of the market homes.

Exceptions may include small sites or schemes for 100% flats, which will require 100% of the payment prior to occupation of any dwellings.

94. The Council will seek to spend the money as locally as possible to the site which made the contribution. Typically, the money is ring-fenced locally for the first three years; in rural areas this is normally within the parish or adjoining parish or in towns this may be on sites within the town or well-related to the town. In some circumstances it may be the Community Network Area that offers the most realistic chance of the money being spent locally. If the money cannot be spent within three years it then cascades out to the wider Community Network Area for a further three years. After which time, if it cannot be spent, it can be spent anywhere in Cornwall. Contributions made for the Enabling Activity Fee or that are solely a proportional 'fraction' of a unit can be spent anywhere in Cornwall.



## Rural exception sites

### Scale

95. The NPPF defines rural exception sites as ‘small sites used for affordable housing in perpetuity where sites would not normally be used for housing’. Local Plan Policy 9 states that rural exception sites are proposals on sites outside of but adjacent to the existing built up areas of smaller towns, villages and hamlets with the primary role of providing affordable housing to meet local needs. The NPPF does not define ‘small’ but the inference is clear and Local Plan Policy 9 requires the scale to be appropriate.
96. As the Council has received numerous applications for rural exception sites which we do not consider to be of an appropriate small scale, guidance is set out below.
97. Scale is measured by the number of dwellings proposed. The Council will require proposals for rural exception sites to be of an appropriate scale, which is proportionate to the settlement and/or the level of affordable housing need. The size of a rural exception site will be considered on a case-by-case basis, taking into account the scale proposed in relation to the settlement and need; together with considerations such as the sustainability of the settlement, local services and facilities, the existing housing supply in the Parish (determined in accordance with guidance set out elsewhere in this SPD) and (where adopted) policies in the Neighbourhood Development Plan.
98. It should be noted that proposals for inappropriately large developments on rural exception sites are unlikely to be supported by the community.
99. Applicants considering putting forward proposals for a rural exception site are encouraged to undertake a pre-application process to get advice on a suitable scale for the proposal.

### Affordable housing-led

100. Local Plan Policy 9 is quite clear that it requires schemes to be **led** and driven by affordable homes and not open market delivery. The **primary purpose** of the proposal must be to provide affordable homes for local needs. The inference is clear that the majority of homes should be affordable.
101. The 50% percentage (quantum and land take) cited in Policy 9 for market housing is the absolute maximum level that will be supported - and is not the starting point for negotiations. Viability appraisals should work backwards from 100% affordable housing with the number of market homes limited to the absolute minimum necessary to cross-subsidise the affordable homes.
102. Significantly more than 50% affordable housing on policy 9 sites is expected particularly in high value zones. To enable this, there is a nationally-recognised land value for such sites to ensure that they provide the maximum amount of affordable housing possible. Experience suggests that on rural exception sites this is around £10,000 per plot for the base land cost and the Council would expect a land value in this region. Exception sites in Cornwall are frequently marketed at values significantly in excess of these values and it is considered that inflated landowner expectation is a barrier to the delivery of homes. The Council will reserve the right to place additional controls where viability has been assessed (based on a stated land value) and a percentage of affordable housing has been set. These could include (but are not limited to) fixing key variables to those stated in the submitted economic viability appraisal in the S106 agreement (for example the sale prices of affordable dwellings); or the use of viability claw-back mechanisms in the S106 agreement.
103. A Policy 9 site is an exception to normal planning policy which would prevent the site’s use for housing. Applicants should therefore carefully justify their proposals to the Council and the local community by being fully compliant with Policy 9, appropriate to local needs, clearly affordable housing-led and with

an appropriate mix and integration of affordable and open market tenures. This is particularly the case in areas with limited need, where potential supply exceeds needs or in sensitive areas, for example within AONBs and around World Heritage Sites. The dwelling and tenure mix should be aligned with local need and not simply driven by viability and maximising value or developer return. Mixed tenure rural exceptions sites that clearly favour open market units and differentiate from the affordable housing will not be considered consistent with the Local Plan policy.

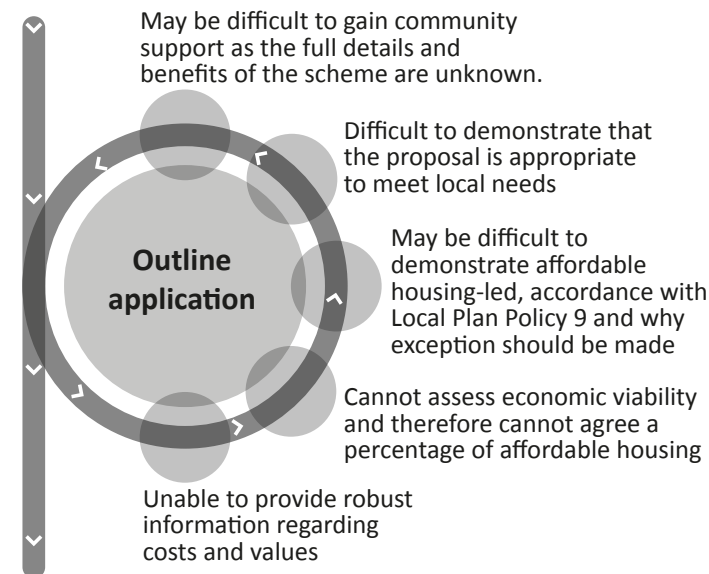
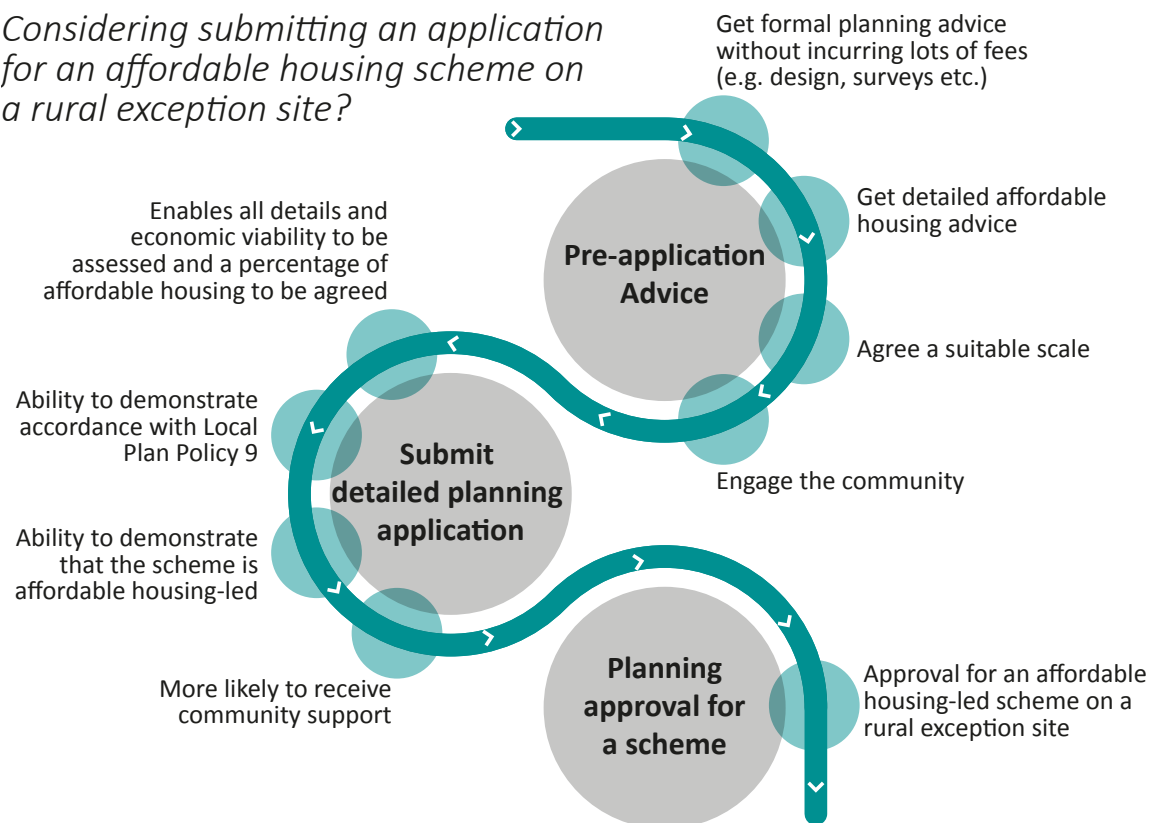
104. Where the need in a rural settlement is for smaller homes and where larger open market homes are provided, a greater proportion of affordable homes will be expected to be cross-subsidised by the larger and more valuable open market units, or else a more equitable split of bed-spaces will be expected.

## Outline planning applications on Rural Exception Sites

105. The Council recommends the following route for proposals for rural exception site:

- A pre-application followed by a
- Detailed application

*Considering submitting an application for an affordable housing scheme on a rural exception site?*





106. A pre-application proposal is a cost-effective method of receiving a formal professional opinion from the Council as to whether a planning application is likely to be supported on a rural exception site.
107. A full planning application enables all details and economic viability to be assessed and a percentage of affordable housing to be set which is based upon actual development viability.
108. Outline planning applications have some disadvantages over this route. Outline applications are usually not sufficiently evolved for applicants to be able to provide robust information regarding costs and values<sup>24</sup>. The layout, mix, design, materials, highways and landscaping can change significantly between the outline and reserved matters stage and therefore associated costs and values will vary significantly too. In such cases assessing economic viability and agreeing a percentage of affordable housing at outline stage is therefore flawed.
109. If the percentage of affordable housing cannot be set then it may be difficult for an applicant to demonstrate that the proposal is in accordance with policy 9 and is affordable housing led. Without knowing the number of affordable homes which will be provided it is also difficult to demonstrate that the proposal is appropriate to meeting local needs. Where the full details and benefits of the scheme are not known it may be difficult to gain community support for the proposal or demonstrate justification for the 'exception' to normal planning policy.
110. Due to these disadvantages, when considering outline planning applications on rural exceptions sites the Council will typically:
- Be unable to assess economic viability assessments and agree a percentage of affordable housing;
  - Instead set out in the S106 agreement a requirement to fix the affordable housing obligation at reserved matters stage. Outline applications will therefore be accompanied by a planning obligation requiring a maximum of 100% affordable housing, working backwards until a viable scheme is delivered. This will require the submission of a detailed economic viability assessment at reserved matters stage. The S106 legal agreement will also secure a minimum of 50% of land take for affordable housing; A tenure, unit type and size mix appropriate to local needs and an integrated layout should be agreed with the Council;
  - Fix key variables for the appraisal in the S106 which may include affordable housing values and land value (which should be in line with the viability expectations set out in this SPD);
  - Advise that the S106 restrictions be made clear in any subsequent marketing of the site;
  - Place an informative or advisory note on the decision notice stating that a planning obligation is linked to this permission requiring an affordable housing-led rural exception scheme with associated implications for land value expectations.
111. The Council wishes to encourage expedient development of proposals which are intended to meet current local housing needs on rural exception sites and prevent speculative applications; land banking; and extended marketing of sites with speculative land values. Therefore, as directed by the NPPF, the Council reserves the right to time limit permissions, particularly for outline applications. This can be achieved by imposing a planning condition to require that a development begins within a timescale shorter than the relevant default period. This is particularly the case where a number of rural exception site permissions exist in a settlement but are not being delivered.

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24 For clarity the provisions in paragraphs 107-108 apply equally to Policy 8 and Policy 9 sites

## Entry Level Exception Sites

112. The NPPF introduced Entry Level Exception Sites in 2018. These sites are outside of but adjacent to existing settlements, on land that is not already allocated for housing. The expectation is that this will enable development on cheaper land, thereby delivering affordable homes; all homes on Entry Level Exception Sites must be affordable.
113. Cornwall Council encourages applications for the development of homes on Entry Level Exception Sites where compliant with the NPPF and local policy.
114. Proposals for self-build plots on entry level exception sites are also encouraged where they are compliant with Cornwall Council's self-build guidance.



## Specialist Housing

115. The Council is committed to ensuring that high quality, safe and sustainable accommodation with care and support is available across Cornwall for people with disabilities and people in need.
116. The Care Act was introduced in 2014 to change the way that councils assess and deliver services, to ensure that they meet the needs of the whole population. The Care Act sets out the vision for adult social care, reinforcing the transformation necessary to enable greater choice, control and personalisation. It highlights the need for more preventative services that help people maintain their wellbeing through developing more supportive, inclusive and effective communities.
117. The Council's Community Based Support and Housing Commissioning Framework 2017-2025<sup>25</sup> sets out the intention to radically reshape the way services are delivered, ensuring community based preventative services are supporting people to stay in their own homes for as long as possible. This is a move away from traditional social care service responses, by reducing the number of people being placed into residential care, and towards a range of accommodation and services that enable and support people to live independently in their own home. This means that different types of care arrangements are required to meet this aim, and the Council will not be prioritising the development of additional residential care provision. This does not mean that care home beds are not required, as those that do need more support often need this to be more intensive (e.g. the very old or frail, those with dementia or other severe cognitive impairments, co-morbidity or other conditions). This means that care homes may become a less prevalent but more intensive and specialised offer. It is also recognised that funding and delivery of provision is complex and often reliant on the Councils revenue support.
118. Policy 2a of the Local Plan establishes a target of the provision of 2,550 bed spaces in communal establishments for older persons, including nursing and specialist accommodation. Whilst this target was evidence based it does not account for more nuanced care arrangements, recent trends and the ideological shift in terms of social care provision and is therefore to some degree outdated<sup>26</sup>.
119. It is however clear that there remains a significant need for housing options for older people, by 2020 nearly a quarter of residents will be over 65. For example, the Council has identified that it needs to support the development of an additional 3,535 units of Extra Care by 2025 to meet predicted demand. The term extra care housing is used to describe developments that comprise self-contained homes with design features and support services available to enable self-care and independent living, with access to, or on-site delivery of, 24 hour care support. Meeting this need requires partnership working both across Council services and with external partners. The Council is currently leading a project to deliver 750 Extra Care units with a strategic partner, but this approach alone will not meet demand. The planning system has a role to play in meeting need and the Local Plan sets the strategic framework for this by positively seeking to respond to the requirements of a changing population.

## Extra care

120. The Council supports the development of extra care and specialist housing in Cornwall that both reflects the aspirations of people with dementia, physical disabilities, learning disabilities and older people.
121. The Local Plan supports a dispersed strategy to growth, this means that all places are able to meet their needs in a way that is appropriate to their role and function. Policy 6 (2) requires that 'on sites of 200 dwellings or more, additional specialised housing (including extra care housing) should be considered

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<sup>25</sup> Current Community Based Support and Housing Commissioning Framework

<sup>26</sup> Cornwall Monitoring report

where demand exists, to meet defined specialist needs. Such developments are most likely to deliver an extra care development of around 50-70 homes. Extra Care Housing should usually be located in good proximity to public transport, shops, amenities and facilities (such as GP surgery and pharmacy) with a level and safe route of access. However, there may be occasions where a range of sites are appropriate especially if more innovative models are proposed which include arrangements for smaller settlements. This scale of development however, is not likely to be appropriate for smaller settlements for which there is still likely to be a demand for such housing. The Council therefore also encourages innovative solutions to the provision of extra care housing which meets the need at the right scale for the role and function of our towns and villages, including in our smaller rural communities. This could include the development of 'hub and spoke' forms of facilities to provide a range of care and support, enabling independence and rehabilitation.

122. Applicants are encouraged to embrace HAPPI<sup>27</sup> principles in respect of new specialist housing for all groups and provide good quality homes which allow people to lead dignified and independent lives.
123. The Council will work actively with developers, care and support providers, and housing organisations (including Registered Providers) to identify potential sites that are suitable and viable for extra care schemes.
124. Any providers or developers looking to develop new, or diversify existing schemes to deliver extra care housing are advised to speak with the Council's Adult Commissioning and Transformation and Affordable Housing Team at the earliest possible opportunity. The recommended mechanism for this is a Planning Performance Agreement (PPA) at an early stage of the planning process.
125. The provision of extra care housing is subject to affordable housing requirements. It is acknowledged that the provision of extra care is likely to be more expensive, due to certain features, but economic viability will be considered in the same manner as with other schemes.
126. However, the Council will take a pragmatic and positive approach to economic viability and may accept a lower overall level of affordable housing on sites which support the provision of:
  - Extra Care Housing;
  - Supported Living;
  - Dementia-Friendly Housing;
  - Wheelchair Adaptable and Wheelchair Accessible homes.

### *Extra care accommodation*

127. In order to be defined as Extra Care the following considerations should be taken into account:
  - Occupants of Extra Care Housing should have their own self-contained homes, their own front door and a legal right to occupy the property;
  - The self-contained accommodation should incorporate design features to facilitate independence and safety including Accessible and Adaptable homes (Category 2 Building Regulations M4 (2)) and be in accordance with HAPPI<sup>28</sup> principles;
  - Personalised care and support is accessible 24 hours a day, 7 days a week on site;

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<sup>27</sup> [HAPPI](#) Principles are set out in 'Useful Links'.

<sup>28</sup> [HAPPI](#) Principles are set out in the 'Useful Links'



- Access to meals, communal facilities and social activities on site and/ or arranged in the community;
  - Access to assistive technology, such as telecare and alarms, and adaptations and specialist equipment to meet health and social care needs;
  - The provision of “pathway flats” to facilitate discharge from hospital; and
  - A choice of tenure to reflect the needs of local communities in accordance with the general principles in the Community Based Support and Housing Commissioning Framework<sup>29</sup>.
128. The Council also encourages Extra Care Housing providers to include ‘hobby rooms’, and space for mobile/visiting facilities, such as a GP/nurse, or mobile hairdressing. Some schemes, particularly those that include ‘open market units’, may also provide enhanced facilities such as shops, restaurants or gyms. Where provided, these should generally be available to the wider community as well.
129. Extra Care Housing may also include self-contained dwellings with design features to facilitate independence and safety. Flats may include a separate kitchen, living area, bedroom(s) and a bath/shower room and could be provided as either open market or affordable housing, depending upon the type of scheme proposed.
130. It is encouraged that the design reflects the current and future needs of residents and schemes should meet the England 2015 Building Regulations M4(2) ‘Accessible & Adaptable Dwellings’ standards. Schemes of more than one-storey need to have lift access.
131. All such homes should provide sufficient space so that, if needs be, a carer or friend or relative can be accommodated thereby obviating the removal of the occupant to a care facility as long as possible.
132. All schemes should have a range of assistive technology in place as well as an alarm system and remote (secure) door entry. It is desirable that a range of environmental sensors and personal assistive technology is easily available on an individual basis.
133. There should be sufficient space for staff and visitor requirements - office, rest room and toilet/shower facilities.
134. The Council recognises that due to the diversity of the population and the rural nature of much of Cornwall, extra care housing will need to be flexible, adaptable and effective at meeting people’s housing and care and support needs.

### *Space standards*

135. We consider that a 70 unit Extra Care scheme will require a site of approximately 0.80 hectares<sup>30</sup>. Any affordable homes must meet the Nationally Described Space Standard<sup>31</sup>. Appendix 4 sets out guidance on unit types and approximate sizes.

### *Supported Living*

136. Supported living schemes may include self-contained accommodation with a kitchen, living area, bedroom(s) and bath/shower room. Design will reflect the potential needs of occupants who may have mobility as well as care and support needs. Properties should be accessible, and technology enabled to promote the use of assistive technology. Where appropriate, the scheme should have lift access and communal areas that facilitate social opportunities. Potential

29 Current Community Based Support and Housing Commissioning Framework

30 Adult Services, Cornwall Council

31 Nationally Described Space Standards <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

schemes will be unobtrusive and integrated within local communities; they will generally be between 8-16 units. The majority of apartments should be 1 bedroom, 2-person units in line with the Nationally Described Space Standards.

## Dementia-Friendly Housing

137. The Alzheimer's Society has produced 'Dementia-Friendly Housing Charter'<sup>32</sup>, providing informative guidance on a range of housing-related issues, relevant to people affected by dementia, which will be useful to applicants, including:

- Location - the importance of familiarity;
- Design - colour and layout;
- Technology - alarms, sensors and lighting;
- Accessibility - the importance of local amenities;
- Signage - clarity and appropriateness adaptability.



32 Alzheimer's Society Dementia-Friendly Housing Charter <https://www.alzheimers.org.uk/get-involved/dementia-friendly-communities/organisations/housing-charter>

## Housing without care

138. Well-designed housing intended for occupation by older people is encouraged. This can be suitable housing in the right areas that meets the needs of older or disabled people and is designated via a local lettings plan to older people. These schemes may include on-site concierge services. Design principles should ensure housing that is flexible to changing need.

139. Other types of suitable accommodation may include:

- Accessible and adaptable ground floor apartments (Category 2 Building Regulations M4 (2));
- Dormer bungalows (1.5 bed design with room for carer if necessary);
- Any adaptable upper floor apartments must be serviced by a lift.

140. The Council encourages proposals including single storey units to consider the following guidance:

- Accessible and Adaptable (Category 2 Building Regulations M4 (2)) standard as a minimum;
- Designed to be a desirable home for an older persons market including apartments for those aged 55 and over, for example secure and spacious with 2 bedrooms rather than one; and
- In a location which is sustainable and integrated in a community with access to shops and facilities including, where possible, healthcare and public transport.

141. It is appreciated that single storey units as described above require larger plots (and therefore land) and this can affect economic viability, especially on smaller sites.



## Residential Care

142. As current models of best practice are moving away from traditional C2 Residential Care facilities, applications for C2 residential care schemes will be carefully considered by Adult Social Care Commissioning and the Affordable Housing Team, as part of the planning application process taking into account local demand for extra care, specialist residential and nursing home care.

## Category 3 Wheelchair User Homes

143. Accessible and Adaptable (Category 2 Building Regulations M4 (2)) homes are a policy expectation under Local Plan Policy 13, whereas category 3 homes are to be secured by negotiation and sought on sites of 200 units or more.

144. It is important to note there are two separate standards under building regulations Category 3:

- Wheelchair Adaptable - M4(3)(2)(a) Potential to be easily adapted for wheelchair user;
- Wheelchair Accessible - M4(3)(2)(b) Suitable for immediate occupation by a wheelchair user.

Adaptable vs Accessible - Key differences:

- Wheelchair transfer space can be used for storage or other use in adaptable homes;
- Space for potential lift-way can be used for storage or other in adaptable homes;
- Differing requirements for kitchens;
- Differing requirements for bathrooms.

145. Category 3 wheelchair user homes include:

- Step free access to every private entrance, every outdoor space, parking space and communal facility;
- Step free access to the entrance storey, WC, kitchen, principal living and eating areas;
- Potential for step free access to all other parts of the dwelling;
- Principal bedroom and bathroom on the entrance level or the storey above or below;
- Sufficient internal space;
- Accessible bathrooms and kitchen;
- Accessible wall mounted switches, controls and socket outlets.

146. Typically, Category 3 homes will be bungalows. The Council will encourage dwellings to Wheelchair Adaptable standard - M4(3)(2)(a): potential to be easily adapted for wheelchair user. Typically, only where a specific need at that time is identified, will a fully Wheelchair Accessible home be sought (M4(3)(2)(b)). In such cases the Council will be responsible for allocating or nominating a person to live in that dwelling. Where there is a specific requirement and the needs of the client are known, to make the home accessible at build stage rather than provide adaptations retrospectively.



## Self and Custom-build

147. Self and custom-build (self-build) housing is defined in the NPPF<sup>33</sup> as housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can either be market or affordable housing. Self-build housing can be an effective way to increase the mix of housing types and tenures and has the potential to increase the delivery of innovative and highly sustainable developments in a cost effective manner. Policy 6 of the Local Plan similarly recognises that self-build housing can be affordable, market housing or starter homes.
148. Historically, many people built their own homes in Cornwall, and through supportive Local Plan policies the Council would like to encourage more residents to build homes for their own permanent occupation, either individually or as part of community-led group. The basic premise is that if a site is suitable for housing, it is suitable for self-build housing. Self-build could be provided within settlements, on allocated housing land, on entry level exception sites, on rural exception sites and as single dwellings or starter homes.
149. Given that self-build housing can be affordable or market housing we envisage that a range of projects and delivery models may be supported by the Council and that our advice and guidance will evolve to reflect changing circumstances in this re-emerging housing sector.

## Self-build and affordable housing

150. Affordable self-build may provide a solution for those people whose needs may not be met by the market and who are unable to find a suitable affordable home in their area. This will help people to stay in, and support, their communities.
151. The Council considers that self-build may be an affordable housing product under the NPPF definition of “other affordable routes to home ownership” where it is more affordable to self-build than to purchase a home in the local market, especially where there is an element of ‘sweat equity’ (personal labour). An allowance will be made to take account of the ‘sweat equity’ invested in the property and this would normally be 10% of the open market value of the property.
152. When applying Policies 8 and 9 of the Local Plan the Council may seek, on a case-by-case basis, to provide affordable self-build houses by:
- Providing low cost serviced plots to self-builders in local housing need to be occupied by that individual;
  - Transfer of discounted serviced plots;
  - Transfer of watertight shell units or built units (in the case of self-finish proposals);
  - An off-site financial contribution in lieu of on-site or part on-site provision.
153. The method of transfer will also vary on a case-by-case basis but could include the sale or transfer of plots to the Council, individuals or groups of individuals, a Community Land Trust or a Registered Provider.
154. The transferred plots or units could then be made available at lower cost to self-builders in local housing need. The homes delivered under this approach would normally be secured as affordable on all future resales and as primary residences through a legal agreement (planning obligation or covenant on the land exchange). This restricts the price at which they can be sold in the future (effectively becoming a discounted sale home) and requires that they are only

sold to purchasers that fulfil the relevant local connection criteria. Occupiers of self-build properties that invested their personal labour in completing the original dwelling may typically benefit from a 10% allowance when the property is first sold (known as sweat equity).

155. Any monies raised by the Council, Community Land Trust or Registered Provider through the sale of the plots would be recycled into other affordable housing schemes.
156. However, there may be some self-build proposals which do not fit neatly into a Local Plan policy, in terms of affordable housing obligations. There may be other models to bring forward small scale self-build housing on rural exception sites and the Council will encourage an innovative proposal that provides an “other affordable route to home ownership” which meets an identified local need within a community. Models may evolve over time but could include:
- Individuals or associations of individuals applying for their own self-build plot(s);
  - Small-scale community led self-build exception sites outside of but adjacent to the existing built up area of towns, villages and other small settlements;
  - Other innovative solutions where the Council is satisfied that the affordable housing obligation is policy equivalent or equivalent to the uplift in value from a grant of consent based on open book economic viability.



## General principles for self-build proposals

157. To ensure future affordability the maximum size of an affordable self-build unit would normally be no larger than the relevant Nationally Described Space Standard (NDSS) for that property type +10% and no larger than 3 bedroom homes. Planning proposals for larger affordable self-build units would require special justification.
158. In some cases, to aid the delivery of affordable self-build units, the time periods used to cascade through the local connection criteria may be reduced and the covenants on the planning obligation may be allowed to take effect at the commencement of the development or the advertisement of the plots for sale, whichever is the sooner.
159. An accompanying Design Code for the whole self-build element of larger schemes may be produced in agreement between the land owner and the Council. This will help to provide a flexible planning permission and clarify and guide what forms of development are acceptable on a site, giving greater certainty to all parties.
160. It is good practice for plot providers to seek to provide a mix of serviced plot sizes to meet the range of demand and affordability.

## Self-build and Community Infrastructure Levy

161. To claim self-build exemption relief from Community Infrastructure Levy payments self-build properties should be the sole or main residence of the individual claiming the relief for a period of 3 years from the completion of the dwelling.
162. Self-build Register
163. Under the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. Cornwall Council's self-build register is available at: <https://www.cornwall.gov.uk>
164. The Council is also subject to duties under sections 2 and 2A of the 2015 Act to have regard to the register and to give enough suitable development permissions to meet the identified demand.

# Appendix 1

## Discounted homes for sale - discount percentages methodology

Homes are sold at a discount from open market values. Different discount percentages are needed in different value zones to ensure affordability, based on local purchasing power.

The Council has calculated the mean percentage discount from the open market value which would be required to bring the price of houses within the reach of a typical household.

Local purchasing power: Affordability calculations based on local incomes and purchasing power together with up to date house price data have been used to draw up an affordability calculator and guideline discount percentages.

House Type	Purchasing Power			Deposit 10%	100% Rounded to nearest £500
4 bed house	3	x 2FTE	£104,502	£116,113	£116,000
3 bed house	3	x 1FTE + 1PFTE	£94,778	£105,308	£105,500
2 bed house	3	x 1FTE + 1PTE	£85,053	£94,503	£94,500
1 bed flat	4	x 1FTE	£69,668	£77,409	£77,500

The mortgage multiplier used is the standard multiples of 4x single and 3x joint for all the calculations, these are based on industry standard multipliers.

The earnings figures applied are a combination of Full Time Earnings (FTE), and Part Time Earnings (PTE). The FTE uses the lower 25% as affordable homes should be targeting the lowest earners rather than average ones. The FTE 25 percentile figure is £17,417 currently. For PTE the mean figure is used as this is a reduced earnings figure, this is currently £10,934.

The methodology also applies a third figure; a combination of the above to reflect those who are between part-time and full-time. The figure used is the average of the FTE 25 percentile and the PTE figure; this is currently £14,175.50 (Part-Time Full Time Earner PFTE).

A 10% deposit is used as this is based on industry standard mortgages available for affordable properties.



Open market values: An average open market value for each dwelling type, in each of the main towns referred to in Policy 3 of the Local Plan.

Value Zone	1 bed	2 bed	3 bed	4 bed
1	No comparable	£245,000	£321,000	£371,000
2	No comparable	£221,000	£274,000	£370,000
3	£149,000	£211,000	£259,000	£314,000
4	£100,000	£187,000	£239,000	£298,000
5	£95,000	£161,000	£205,000	£282,000
Target price	£77,500	£94,500	£105,500	£116,000

Using the methodology described above, discounted market sale homes will be sold for prices based on the guideline discount percentage for the relevant value zone or the local purchasing power and target price, whichever is the lower:

Guideline discount required				
Value Zone	1 bed	2 bed	3 bed	4 bed
1	No data*	65%	70%	Typically not supported**
2	No data*	60%	65%	Typically not supported**
3	50%	55%	60%	65%
4	25%	50%	55%	60%
5	20%	40%	50%	55%

\*There are no comparables for open market values so a bespoke percentage based on a valuation and target price would be required.

\*\* Typically not supported but a discount of at least 75% would likely be required.

## Appendix 2

### Off-site contribution tariff

#### *Tariff*

The amount of off-site contribution payable per dwelling, in each of the three Local Housing Allowance areas is:

Kernow West	£102,000
Plymouth	£92,000
North Cornwall	£102,000

#### *Methodology*

Rather than calculate a bespoke contribution for each scheme, the Council has arrived at a general per dwelling tariff, based on a two bedroom rented dwelling. The full methodology is provided in the table opposite and may be updated periodically when key variables change.

For each Local Housing Allowance area an average open market value for a two-bedroom dwelling has been used, in each of the main towns referred to in Policy 3 of the Local Plan.

Town	Average price	Total sales	Average
Penzance	£181,000	£362,000	
Hayle	£202,778	£1,825,000	
Helston	£176,000	£528,000	
Falmouth & Penryn	£205,400	£2,054,000	
Truro	£223,000	£3,791,000	
CPR	£154,838	£12,387,000	
Newquay	£208,146	£8,534,000	
St Austell	£199,867	£2,998,000	
St Ives	£221,167	£1,327,000	£184 732
Callington	£-	£-	
Liskeard	£165,500	£1,986,000	
Saltash	£167,000	£167,000	
Torpoint	£196,000	£196,000	£1,671,786
Bodmin	£161,455	£1,776,000	
Bude	£194,667	£584,000	
Camelford	£158,333	£475,000	
Wadebridge	£204,556	£1,841,000	
Launceston	£149,333	£448,000	£176,690

For each Local Housing Allowance area, the price a Registered Provider could pay has been derived based on capitalised Local Housing Allowance rents. The capitalised values for each value zone are:

Plymouth (£122.36 per week)	£85,500
North Cornwall (£120.06 per week)	£84,000
Kernow West (£132.32 per week)	£92,500

The difference between the average open market value and the average Registered Provider price for each Local Housing Allowance is set out in the following table:

	Area Name		
	Kernow West	Plymouth	North Cornwall and Devon Borders
2 bed LHA rent	£132.32	£122.36	£120.06
Capitalised value	£92,464	£85,505	£83,894
RP purchase price	£92,500	£85,500	£84,000
Open market value	£184,732	£167,786	£176,690
Developer 'cost' of sale the RP	£92,232	£82,286	£92,690
Fixed enabling activity fee	£9,750	£9,750	£9,750
Off-site contribution	£101,982	£93,036	£102,440
Off-site contribution (rounded)	£102,000	£92,000	£102,000

The amount of off-site contribution payable per dwelling, in each of the three Local Housing Allowance areas is therefore:

Kernow West	£102,000
Plymouth -	£92,000
North Cornwall	£102,000

## Enabling Activity Fee

The presumption is always that a development will provide its affordable housing obligation as on-site homes. Exceptionally, where it is agreed that an off-site contribution may be taken in lieu of on-site provision, responsibility for provision falls to the Affordable Housing Team who will use the funding (in combination with any additional resources) to provide affordable housing on alternative sites. Whilst the principle of this is well-established and can generate positive outcomes, this is a resource intensive activity in terms of the officer time required to identify a site, develop a suitable scheme, and enable construction.

This additional work would not be required if affordable housing was provided on-site. As such, the direct costs of this will be included within the overall calculation of an appropriate off-site contribution required - this is known as the local 'Enabling Activity fee'.

The Council has calculated its Enabling Activity Fee based upon the typical number of hours directly associated with identifying and delivering a specific site. A breakdown of the key elements and the total cost is outlined opposite:

<b>Affordable Housing Team hourly rate:</b>		<b>£65 p/h</b>
<b>Element</b>	<b>Hours</b>	<b>Cost</b>
Site identification & landowner	30+7	£2,405
History, constraints & need assessment	2+2+2	£390
Project concept, design & project controls	2+37	£2,535
Pre-application	2+3	£325
Parish/community consultation	14	£910
Local member consultation	4	£260
Viability	7	£455
Programme management & project liaison	14+14	£1,820
Acquisition/development support	7	£455
Planning application	4+3	£455
Total	154	£10,010
<b>(Rounded)</b>	<b>150</b>	<b>£9,750</b>

Costs have been rounded to the nearest 10 hours and are correct as at January 2020. They may be updated periodically/if the standard hourly re-charges varies +/- 10%.

It should be noted that the above calculation has excluded all expenses associated with development (fees and charges); the rationale being that this can be funded as part of the long-term development financing. It has also been calculated based upon the Affordable Housing Team's current published hourly recharge rate (as set out in the Planning Performance Agreement Charter), and averages include all officers' activity, including those circumstances where more than one officer works on a project at various stages. As such, the calculation is a very conservative estimate of the time and cost incurred by the Council on providing an alternative affordable home off-site.

### *General enabling levy*

In addition, the Council commits considerable financial resources to achieving high rates of affordable housing delivery which is at risk unless long-term income can be secured. As a result, many local authorities have introduced a levy on affordable housing to assist proactive delivery of more homes. The Council does not currently implement a charge, however it reserves the right to do so in the future.



## Appendix 3

### Local Connection Criteria

Affordable homes in Cornwall are restricted to those with a strong local connection to Cornwall. The Council's local connection criteria is used in all Section 106 agreements (using the Council's template) to secure both rented and intermediate affordable homes for local people. The criteria are consistent with the Council's Cornwall Homechoice policy, which may change from time to time. Therefore the criteria are provided on a webpage which can be easily updated if necessary. Search for 'connection criteria' at <https://www.cornwall.gov.uk/housing/affordable-housing/information-for-developers/section-106-agreements/>

## Appendix 4

### Extra care space standard

Tenant's accommodation	Size (approx.)
1-Bed 2-Person apartment	50sqm
2-Bed 2-Person apartment	61sqm
Living room/dining room	12-14sqm
Bedroom	11-12sqm
Kitchen	8-10sqm
Bathroom	6sqm
Communal accommodation and facilities	
Communal lounge	1.5sqm per flat
Dining area	1.2sqm per flat
Tea kitchen	10sqm
Small lounges/hobby rooms	15sqm each
Communal WC's (disability standard)	7.5sqm
Hairdressing/beauty/therapy room	6sqm
Scooter store	25-30sqm
Staff and ancillary accommodation	
Manager's office	15sqm
Care staff office	18sqm
Staff rest room with kitchenette	15-20sqm
Staff locker/change room & shower/WC	12sqm
Laundry	20sqm
Catering kitchen	60sqm
Cleaners storage	5sqm
General storage	20sqm
Services and plant	
Lift	2600x1800mm
Lift motor room	4sqm
Refuse store	20sqm
Recycling collection point	6sqm
Plant room	20-25sqm
Other spaces to consider	
Car parking for staff/tenants/visitors	
Gardens	
Guest room	

## Glossary

**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) including: affordable housing for rent, build for rent, starter homes, discounted market sales housing, other affordable routes to home ownership.

**Community Land Trust** - **non-profit, community-based organisations** that develop housing, workspaces, community facilities or other assets that meet the needs of the community, are owned and controlled by the community and are made available at permanently affordable levels.

**Cornwall Homechoice** - the Council's rental housing need register and allocation policy; a choice based letting scheme developed and operated in partnership between Cornwall Council and local Registered Providers (or any successor system).

**Custom and self-build dwellings** - the [Self-build and Custom Housebuilding Act 2015 \(as amended by the Housing and Planning Act 2016\)](#) provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.

In considering whether a home is a self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout.

The practical difference is that custom-build is where a person commissions a specialist developer to help to design, build and deliver their own home, while self-build is where a person is more directly involved in delivering and constructing their home themselves (for example, doing their own brick-laying and plumbing). Both routes require significant input from the home owner in the design process of the dwelling.

**Entry Level Exception Site** - as defined in the NPPF, entry level exceptions sites are those sites which are suitable for first time buyers or those looking to rent their first home. The NPPF provides further details.

**Grant funding** - public funding used to subsidise the provision of affordable homes, typically from either Homes England or the Council.

**Help to Buy South** - the Government appointed local help to buy agency which covers the South and South West (excluding London) for households seeking Help to Buy Shared Ownership or Help to Buy Equity Loan (or any successor body).

**Homes England** - the body responsible for providing financial assistance to bodies including Registered Providers of social housing for the purpose of improving the supply and quality of housing in England now conferred on such body under the Housing and Regeneration Act 2008 (or any successor legislation or body replacing or amending the same).

**Housing Needs Surveys** - takes a snapshot of the local housing situation at a specific point in time and supplements the data from the Homechoice Register. A standard form is distributed to all registered addresses within a Parish asking questions regarding the household occupancy and housing need. The Affordable Housing Team at Cornwall Council can undertake these surveys on behalf of Registered Providers and Parish/Town Councils and (on request) developers to understand the total housing needs of an area. It should be noted that: when the Council undertakes a Housing Needs Survey they do so on a cost recovery basis; and where undertaken on behalf of a developer the Council acts impartially and objectively and typically the purpose of the survey is to ascertain the level of local housing need only (i.e. not to seek views on a particular development site or proposal).

**Hub and Spoke** - extra care housing with a focus on wider community use and therefore larger community facilities.

**Local Housing Allowance** - the Valuation Office Agency Rent Office determines Local Housing Allowance (LHA) rates used to calculate housing benefit for tenants renting from private landlords. LHA rates are based on private market rents being paid by tenants in the [broad rental market area](#) (BRMA). This is the area within which a person might reasonably be expected to live.

**National Planning Policy Framework (NPPF)** - where the SPD makes reference to the NPPF this is the 2019 National Planning Policy Framework or any successor national policy which may be published by the Government.

**Self-build dwellings** - see custom and self-build dwellings above

**Staircasing** - owners are able to purchase additional equity in the property when they can afford to. In most circumstances, this means that shared owners have the ability to eventually own 100% of the freehold, if they acquire the remaining unowned shares over time.

**Stalled sites** - the Council considers a site to be stalled where it does not consider it to be deliverable within a reasonable period (as determined by the Council having due regard to the NPPF) and/or where following the grant of planning permission, no significant demonstrable progress is being made towards starting development on-site. In considering whether a site is stalled, the Council may have regard to (this list is not exhaustive):

- whether a reserved matters application or the discharge of pre-commencement conditions have been submitted;
- whether a site is or has been marketed without success;
- whether an affordable housing scheme has been submitted;
- whether a site appears in a developer's build programme; or
- whether an RP is in advanced contractual negotiations for the transfer of the affordable housing.

Sites where development has commenced and has ceased prior to completion will be considered as stalled.

**Single plots and individual local needs dwellings** - a proposal to build a single affordable home on land owned by the developer may be supported where the home is restricted in terms of size and affordability; demonstration of the ability to finance the development; where the occupant satisfies local occupancy and connection provisions and qualifies as being in affordable housing needs; and where a planning obligation controls future disposal and occupancy.



## Useful Links

**National Planning Policy Framework** - setting out the Government's planning policies <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

**Planning Practice Guide** - supports the Government's planning policies set out in the National Planning Policy Framework <https://www.gov.uk/government/collections/planning-practice-guidance>

**Government guidance on viability** - <https://www.gov.uk/guidance/viability>

**Cornwall Local Plan** - adopted Cornwall Local Plan <https://www.cornwall.gov.uk/localplancornwall>

**Cornwall Council Chief Officer's Advice Notes** - the Council has published planning guidance on various topics; 'Infill/Rounding Off' 'Good Design in Cornwall' 'Holiday Occupancy Conditions' and 'Planning for Air Quality'. These are available online at <https://www.cornwall.gov.uk>

**Cornwall Council Affordable Housing** - affordable housing is one of the Council's priorities and the Affordable Housing Team assist in the delivery of affordable homes. More information including how to apply and eligibility is available online at <https://www.cornwall.gov.uk/housing/affordable-housing/>

**Homechoice Register** - Homechoice is a system for letting Council and Registered Providers homes in Cornwall. More information is online at <https://www.cornwall.gov.uk/housing/homechoice-housing-register/>

**Registered Providers** - partner organisations who deliver affordable rent and shared ownership homes throughout Cornwall. More information is available at <https://www.cornwall.gov.uk/housing>

**Removal of holiday use conditions** - the Council's approach is set out in a guidance note at <https://www.cornwall.gov.uk>

**Housing our Ageing Population Panel for Innovation (HAPPI)** - 10 design principles, there are several iterations available at <https://www.housinglin.org.uk/Topics/browse/Design-building/HAPPI/>

**RICS Redbook Valuation** - information on professional standards for asset valuations is available at <https://www.rics.org/uk/upholding-professional-standards/sector-standards/valuation/red-book/>

**National Community Land Trust Network** - the National Community Land Trust Network is the official charity providing funding, support and advice for CLTs. More information is available at <http://www.communitylandtrusts.org.uk/>

**Cornwall Community Land Trust** - works with local communities to deliver good quality affordable homes for local people in Cornwall and the Isles of Scilly. More information is available at <https://cornwallclt.org/>

**Right to Buy** - Government scheme which allows eligible Council and housing association tenants the right to buy their home. Further information is available at <https://www.gov.uk/right-to-buy-buying-your-council-home>

**Cornwall Council Self-Build Register** - Cornwall Council's self-build register is available online. Search for 'self-build register' at <https://www.cornwall.gov.uk>

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