Affordable Housing
Supplementary Planning
Document 2020

Consultation Draft

June 2020
8.0 Delivery Mechanisms

8.1 S106 agreements 26
8.2 Timing of provision 26
8.3 Occupancy 27
8.4 Essential Local Workers (otherwise referred to as Key Workers) 27
8.5 Housing Options for Members of the Armed Services 28
8.6 Community-led housing 29

9.0 New routes to delivery 30

9.1 Blenheim approach 30
9.2 Partnerships with legacy landowners 30

10.0 Oxfordshire Housing and Growth Deal 31

11.0 Monitoring and Review 31

Glossary of Terms

Appendices

Appendix 1 - Policy H3 Affordable Housing 33
Appendix 2 - Useful Contact Details 34
Appendix 3 - Example S106 Agreement 35
**Preface**

1.1 Background

The District Council’s current Affordable Housing Supplementary Planning Document (SPD) was published in 2007. Following adoption of the West Oxfordshire Local Plan 2031 and the publication of the 2018 National Planning Policy Framework (NPPF) there is now a need to revise and update the SPD.

The purpose of this draft Supplementary Planning Document (SPD) is to provide detailed guidance to support the local authority, developers, housing providers and local communities on how West Oxfordshire District Council will meet its objective of securing the delivery of affordable housing through the application of Local Plan Policy H3 – Affordable Housing and related core objectives.

The SPD will supplement the Local Plan and whilst this does not in itself make it policy, it will be a material consideration in the determination of planning applications.

The overall objectives of the SPD are:

- To provide clear and transparent guidance on the application of Policy H3 and CO6 to assist those proposing developments to make successful planning applications and improve the delivery rates of affordable housing in West Oxfordshire.
- To deliver a better balance between the affordable housing need and the supply of affordable accommodation with particular reference to location, housing mix and tenure type proposed on developments.
- To improve the quality and range of affordable housing options available within the District
- To ensure that new affordable housing addresses the climate change emergency
- To secure improved housing affordability through the application of a new ‘Living Rent’ for West Oxfordshire
- To promote new and innovative approaches to the delivery of affordable housing
- To help sustain and improve the vitality, vibrancy and quality of life of local communities
1.2 Scope

This draft SPD provides detailed guidance on how Policy H3 and Core Objective 6 of the WODC Local Plan will be implemented in order to support proposed development and help deliver sustainable communities. In particular, it contains guidance on the following:

- Developments where affordable housing will be sought – qualifying sites and thresholds
- Quantity of affordable homes needed
- Size and Mix of Affordable Homes
- Off-site provision / Financial contribution
- Viability
- Standards and Design
- Section 106 Agreements
- Nominations, Key Worker and Local connection provision
- Timing of Provision
- Occupancy
- Delivery Mechanisms
- Alternative Affordable Housing delivery routes

1.3 Status

This is the draft version of the Affordable Housing Supplementary Planning Document (SPD) and once adopted will be material consideration in the determination of relevant planning applications, replacing the current Affordable Housing SPD (2007).

Please see the Glossary at the end of the document for an explanation of the abbreviations and terms used in this document.

1.4 Consultation

The draft SPD will be the subject of public consultation for a period of six weeks. The consultation will run from:

**Friday 10 July until 5pm on Friday 21 August**

There are a variety of ways to respond to the consultation:

- Electronic representations should be sent by email to planning.policy@westoxon.gov.uk
- By posting a response to:
  Affordable Housing SPD Consultation, Planning Policy,
  West Oxfordshire District Council,
  Elmfield, New Yatt Road, Witney, Oxon OX28 1PB

All comments received will be carefully considered and taken into account alongside any other relevant considerations including for example potential changes to national policy and a revised draft SPD will be published in Autumn 2020 for a further, final period of public consultation before being formally adopted.
2.0 Legislative and Policy Context

2.1 The NPPF

The Government published the revised National Planning Policy Framework (NPPF) and accompanying Planning Practice Guidance (PPG) in July 2018. The framework requires local authorities to deliver a sufficient number and range of homes to meet the needs of present and future generations.

The NPPF states:

*Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies – including but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes*.

2.2 The West Oxfordshire Local Plan 2031

The West Oxfordshire Local Plan was formally adopted in September 2018. It seeks to provide at least 15,950 homes in the period 2011 – 2031 and identifies a significant need for new affordable housing.

Policy H3 relates to affordable housing and is set out in full at Annex 1. In short, the policy requires the provision of on-site affordable housing as part of larger market housing schemes of 11 or more units varying by location from 35% - 50%.

Smaller market housing schemes of 6-10 units within the Cotswolds AONB are required to make a financial contribution towards the provision of affordable housing within the District. The policy also addresses the issue of housing mix and the provision of affordable housing in rural areas including through rural exception sites.

Policy H3 is supported by Core Objective 6 (CO6) of the Local Plan which seeks to:

*Plan for an appropriate mix of new residential accommodation which provides a variety of sizes, types and affordability with special emphasis on the provision of homes for local people in housing need who cannot afford to buy or rent at market prices including those wishing to self-build, as well as homes to meet the needs of older people, younger people, black and minority ethnic communities, people with disabilities, families and travelling communities*.

2.3 The West Oxfordshire Council Plan

Part of the vision of the current West Oxfordshire Council Plan is to meet the housing needs of the District’s changing population, securing the provision of market and affordable housing of a high quality for the wide range of householders making their home in West Oxfordshire.
3.0 What is affordable housing?

There is no singular definition of affordable housing.

3.1 West Oxfordshire definition

The West Oxfordshire Local Plan defines affordable housing as ‘that which is affordable to those who cannot afford market priced housing locally to rent or purchase’. It is housing provided with either public or private subsidy for people who would otherwise be unable to resolve their housing requirements in the local housing market because of the relationship between housing cost and local incomes’.

3.2 NPPF definition

The NPPF provides the following, specific definition:

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

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

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

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

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

A more detailed explanation of how each affordable housing tenure type works in practice in West Oxfordshire is given in the following table:
### Rental Housing

**a) Social rented housing:**
Social rented housing is housing owned and managed by registered providers, for which target rents are determined through the Government’s rent policy for Social Rent. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with Homes England as a condition of grant. Typically social rented housing costs 50-60% of market rented housing.

**b) Affordable Rent housing**
Let by private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent housing must meet all of the following conditions:

i. The rent must be no more than 80% of the local market rent (including service charges, where applicable) and not exceed the level of the Local Housing Allowance for the size of property, whichever is the lower;

ii. the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and for Build to Rent schemes, Affordable Private Rent housing is expected to be the normal form of affordable housing provision.

**c) Rent to Buy**
A government scheme to help first time buyers, or those returning to the market following relationship breakdown. Households are able to rent a home at 80% of the market value, providing an opportunity to build up a deposit. If after the initial five years of letting the landlord wishes to sell the property, the existing tenant should have the right of first refusal to buy it. Similarly, if after the first five years the tenant submits a request to buy their home, it is expected that the landlord would agree.

**d) Build to Rent**
Build to rent refers to purpose built housing that is 100% rented and can form part of a wider multi-tenure development scheme comprising flats or houses. Schemes will usually offer longer tenancy agreements of 3+ years and will be part of a professionally managed stock in single ownership and management control. The NPPF states that “20% is generally a suitable benchmark for the level of Affordable Private Rent homes to be provided (and maintained in perpetuity) in any Build to Rent scheme”. The guidance also stipulates that Affordable Private Rent should be at least 20% cheaper than the rest of the scheme in line with the Affordable Rent product. In addition affordable units within Build to Rent developments are not expected to be managed by a registered provider, but should be under common management control by the private operator managing the whole site / block. Affordable units should be distributed throughout the development and physically indistinguishable from the market rent homes within the development in terms of quality and size. Build to Rent developments will be secured under a S106

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agreement details of which can be found in Appendix 3. Build to Rent market rent assessments should be carried out by Build to Rent Developers using the definition of the International Valuation Standards Committee as adopted by the Royal Institute of Chartered Surveyors. WODC reserve the right to benchmark this rate against evidence from a relevant local housing needs assessment and if necessary use this evidence to justify an amendment to the rate required. Equally, there is also provision for developers, in exception, to make a case seeking to differ from the benchmark.

**Intermediate Housing** - Homes for sale and rent provided at a cost above social rent but below market sale and rent levels. It includes a range of low cost home ownership products for households who are not able to access home ownership through the market:

a) **Shared ownership:** The purchaser buys a proportion of the value of the home, e.g. 50%, and the remaining share is kept by the freeholder which is usually a registered provider. A subsidised rent is paid on the remainder of the equity. The proportion offered for sale by the registered provider should not be fixed in advance, but tailored to the individual circumstances of the individual household. The initial equity share must be between 25% and 75% and the Council expects that at least 50% of each type and size of shared ownership units on each scheme should initially be sold at shares of 35% or below in order to help ensure affordability. When they can afford to, purchasers have the opportunity to 'staircase’, i.e. to buy further equity shares until they own 100% of the property.

b) **Shared equity** The purchaser acquires the whole of the property but effectively only pays a proportion of the value, e.g. 75%. The remaining 25% is secured by an equity loan without any rental obligation.

c) **Discount market sale** Discount Market Sale is a low cost home ownership product where a new build property is purchased at a discounted price, usually around 20% of the market value, and aims to help low and middle earners get onto the property ladder.

d) **First Homes**

The Government has recently consulted on a new First Homes policy which is intended to deliver discounted homes for local people. It is not clear at this point how this proposed policy will be taken forward but the Council will seek to address it prior to adoption of this draft SPD or through an addendum as appropriate.

Housing which is not secured as affordable in perpetuity such as Starter Homes (included in the NPPF definition) does not materially contribute to meeting the identified need for affordable housing. The Council will therefore seek to ensure that affordable housing is secured as such in perpetuity. Consequently all types of affordable housing must include provision **either** to remain at an affordable price for future eligible households **or** for subsidy / sale proceeds to be recycled to provide alternative housing provision.

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Prospective developers are recommended to contact the Council’s planning and housing services at an early stage for more detailed advice on the provision of affordable housing in connection with particular development proposals, prior to submission of a planning application. Early discussion with planning officers helps ensure better quality applications are submitted.

Full details on pre-application advice include the application form and details of costs can be found on the Council website.  

The provision of affordable housing also requires consultation with the council’s affordable housing development team. The team works closely with planning officers and registered providers to ensure new communities are sustainable and will input into the delivery, tenure mix, location and transfer arrangements with the chosen provider. Contact details for the team can be found in Appendix 2.

Where the affordable housing is to be transferred to a Registered Social Landlord (RSL) or Registered Provider (RP) detailed discussions should be held with them on the layouts and specifications e.g. Space standards. Any RSL / RP must be able to meet the Council’s eligibility criteria, full details of which are available from the Council’s Housing Services.

4.0 Existing Affordable Housing Need and Provision in West Oxfordshire

4.1 Affordable housing need

The provision of new housing in West Oxfordshire is a critically important issue and a recurring theme in the Local Plan. The Oxfordshire Strategic Housing Market Assessment (SHMA) 2014 identified the need for 660 homes per year over the plan period, of which 274 need to be affordable. Increasing delivery of the number, type and distribution of affordable housing for both rent and subsidised sale is therefore a key priority for West Oxfordshire.

Policy H3 of the West Oxfordshire Local Plan 2031 seeks to secure an increase in the supply of affordable homes by increasing the number of developments which should support affordable housing and increasing the number of affordable homes on those developments.

The Council also aims to widen the choice of dwelling size and tenures available to redress the imbalance in the housing market. Local Plan Policy H4 – Type and Mix of New Homes is a particularly relevant consideration in this respect.

In addition to the level of need identified in the SHMA, the Council’s housing register provides an indication of the level of affordable housing need in the District. The graph below shows the total number of applicants as of 27 Jan 2020 broken down by preference for particular property sizes.

2 https://www.westoxon.gov.uk/planning-and-building/planning-permission/get-advice-on-your-application/

3 https://www.westoxon.gov.uk/housing/
4.2 Current affordable housing provision – supply and type by location

Delivery of both affordable and market housing in West Oxfordshire has fluctuated since the start of the Local Plan period 2011. The lower rates of affordable housing delivery in the early years can be attributed to a number of factors including wider economic conditions, development viability and national policy changes. WODC has continued to work closely with developers to accelerate delivery of housing in the district and there has been a steady increase in the number of affordable housing completions in the District since 2012/13 as shown below. This is expected to continue.

This increase in housing delivery demonstrates the positive approach to affordable housing by WODC and we will continue to seek innovative ways of working with developers to increase both the number and speed of affordable homes delivered across the District.
The table below shows the current levels of Social and Affordable Rental properties available in West Oxfordshire by sub-area. It can be seen that there is a predominance of social rented properties across all areas, in particular the Witney sub-area.

![Rental homes by Social or Affordable Rent in Sub Area](image)

### 5.0 Future Affordable Housing provision in West Oxfordshire

#### 5.1 'Qualifying' sites – when will affordable housing or a contribution towards affordable housing be required?

**On-site provision of affordable housing**

In accordance with the Local Plan, the Council will seek between 35% and 50% affordable housing on all qualifying sites except within the Cotswolds AONB area, where a financial contribution in lieu of on-site provision applies.

Policy H3 states that housing schemes of 11 or more dwellings, or which have a maximum combined gross floor space of more than 1,000m² will be required to provide affordable housing on-site as a proportion of the market homes as follows:

- **High value zone** – 50%
- **Medium value zone** – 40%
- **Low value zone** – 35%

The above requirement also applies to sheltered housing but a reduced level of provision will be sought in respect of extra-care housing due to viability, as follows:

- **High value zone** – 45%
- **Medium value zone** – 35%
- **Low value zone** – 10%
A map showing the value zones is available shown below:
Off-site Provision / Financial Contributions

There are a number of circumstances in which the Council will or may accept a financial contribution towards affordable housing in lieu of on-site provision.

Under Policy H3, within the Cotswolds AONB, market housing schemes of 6-10 units and which have a maximum combined floor space of no more than 1,000m² will be required to make a financial contribution for off-site affordable housing provision within the District. This amount is £100 per m² based on the Gross Internal Area (GIA) of the proposed market units.

Policy H3 also recognises that in some instances, it may not be possible, even on larger market housing schemes, to deliver affordable housing on-site e.g. it is not physically possible or feasible, or there is evidence that a separate site may be more suitable to meet local need. In such circumstances, a financial contribution in lieu of on-site provision may be appropriate.

In some instances a combination of on-site and financial contribution may be appropriate and this will be determined on an individual site basis.

Financial contributions received from developers will be held in a specific affordable housing fund to support the provision of new affordable homes which will be administered by the Strategic Affordable Housing Team.

The financial contributions will be ring fenced to enable the Local Authority to provide stimulus to the affordable housing market by:

- local authority development including estate renewal; WODC are currently developing a parcel of land at Langford for affordable housing and funding can be used to increase the % of affordable units delivered on the site.
- support of a registered providers development; WODC are working with our registered providers to promote small sites in rural locations to meet local need. In general these rural exception sites will be to meet local need and would not normally be considered for development. Commuted sums can be used to increase the % of affordable units delivered and will reviewed on a case by case basis.
- housing purchased on the private market to be transferred to a registered provider; additionality is being sought from developers with funding through either the Growth Board or commuted sums.
- vacant properties bought back to use; WODC are interested in securing vacant properties to provide additional affordable housing particularly in our urban centres or Witney, Carterton and Chipping Norton
- other housing schemes that qualify under planning policy.
5.2 The size of affordable homes needed

The existing housing stock in West Oxfordshire is dominated by larger properties and the Council’s aim is to redress this imbalance by providing smaller family homes for younger households and those wishing to downsize.

The Oxfordshire SHMA (2014) provides an indication of the size of affordable homes needed in West Oxfordshire (by bedroom size) in the period 2011 – 2031. This is as follows:

- 1-bedroom: 28.4%
- 2-bedroom: 34.7%
- 3-bedroom: 30.4%
- 4+ bedroom: 2.6%

This is reflected in the West Oxfordshire Local Plan which includes the following indicative size mix for affordable housing:

- 65% one and two-bedroomed homes
- 35% three and four-bedroomed homes

This indicative split is supported by the Council’s Choice Based Lettings database which shows that of those registered in need of affordable rented accommodation, the greatest requirement is for 1 and 2-bed properties.

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Choice based letting applicants reported bedroom need av. Jun 2018 - May 2020

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<td>1 bed</td>
<td>52%</td>
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<tr>
<td>2 bed</td>
<td>33%</td>
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<td>3 bed</td>
<td>12%</td>
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<tr>
<td>4 bed</td>
<td>4%</td>
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4 Homeseeker Plus data May 2020
Recent advice commissioned from ICENI in respect of planned growth at Eynsham\(^5\) reaches a similar conclusion and suggests the greatest focus should be on 2 and 3-bed properties. Although these demand levels are constantly fluctuating, it can be seen that households in need of a one bedroom home contribute significantly higher demand.

As previously stated, the Local Plan seeks, as a guide, 65% one and two bedroom homes. This however provides an indication only and in negotiating the size of affordable homes to be provided, the Council will take account of local circumstances and any identified local needs. It is advisable when designing a mix of affordable housing on a new development that information on bedroom need is kept in mind.

5.3 Preferred Tenure Mix

WODC welcomes a mix of tenure for affordable housing to ensure a balanced community is delivered on each development. Developers are encouraged to commence discussions with Registered Providers at the earliest opportunity to understand the affordable housing type and tenure required for their proposed development to achieve this aim.

As a starting point, the West Oxfordshire Local Plan highlights a significantly greater need for rented accommodation than for the various forms of intermediate housing, with a ratio of 2:1 in favour of affordable rented homes. This is however a general guide only and the precise mix will be determined on a case by case basis. Further guidance is provided below.

Social and Affordable Rent

Due to the high property values in West Oxfordshire, access to affordable housing is a key challenge with the highest level of need being for rented accommodation including social and affordable rent.

The type of rental accommodation to be provided will be a matter for negotiation but as affordable rent levels are often unattainable for many residents, developers are encouraged to explore providing new affordable homes at social rent levels to provide a balanced mix of options and to increase affordability.

Where affordable rent is provided, Affordable rent levels should be set with reference to Local Housing Allowance levels and at no more than 80% of market rental taking into account the local context for the rent levels. Full details can be found on the MHCLG Policy statement on rents for Social Housing\(^6\).

Build to Rent

As a matter of principle, the Council will support the provision of purpose built, build to rent properties in sustainable, accessible locations. In accordance with national policy, affordable housing for rent (referred to as affordable private rent) will be the expected form of affordable housing provision.

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\(^5\) https://www.westoxon.gov.uk/media/mbwnzsw2/housing-strategy-advice-west-oxfordshire.pdf

A West Oxfordshire ‘Living Rent’

In addition to those looking for affordable rent or intermediate housing in West Oxfordshire there is a significant proportion of residents who are the “trapped middle” – middle income families who are in the private rental space but unable to save for home ownership.

WODC recognises the need to enable affordable homes for middle-income households who now rent and want to build up savings to buy a home. This can be either through shared ownership or outright purchase. Landlords are expected to encourage their tenants into home ownership within 10 years.

Under this initiative, homes will be offered on tenancies of a minimum of three years and tenants will be supported to save and given the option to buy their home on a shared ownership basis during their tenancy. They will also be given extra priority for other shared ownership homes.

WODC is currently undertaking a study to explore a Living Rent model for West Oxfordshire including the level of discount from market rent required to be realistic for local people having regard to typical household incomes.

Full details on the report will be available in Q3 2020.

Intermediate Housing and other affordable housing types

WODC recognises the need for a balanced mix of affordable tenures and as described in Section 2, there are a number of different forms of affordable housing including a number of ‘intermediate’ products.

Of these intermediate tenures, WODC favours the provision of Shared Ownership as it provides a clear route to home ownership with occupants having the opportunity to increase their equity share over time. Typically, a person acquires a 25% share initially (with rent paid on the remaining 75%) and can eventually ‘staircase’ up to 100% ownership.

Other Shared Ownership models at 40% initial purchase levels have been supported on some developments in West Oxfordshire and developers are encouraged to consider shared ownership in their viability modelling as WODC consider it is the most accessible route to home ownership.

 Whilst the Council’s preference is for shared-ownership properties, WODC recognises the need to offer a balanced mix of tenures on all developments and welcome early discussions between developers and RP’s to ensure a suitable blend of tenures is provided to attract the widest mix of residents.

This will include considered of shared equity, discount market sale properties, rent to buy and potentially in due course First Homes in line with the Government’s recent consultation.

Starter home provision will be supported in principle as part of a broader mix of affordable housing types and the Government has indicated that starter homes will generally comprise 20% of the overall scheme mix.
5.4 Rural Exception sites and Entry Level Exception Sites

Rural Exception Sites

The NPPF describes rural exception sites as follows:

‘In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this’.

The WODC Local Plan defines rural exception sites as land whereby affordable housing is provided in locations that would not normally be allowed for new housing and recognises that such sites may come forward as speculative ‘windfall’ development.

The Council will continue to identify suitable sites for affordable housing through rural exception sites (RES). This is reflected in Policy H3 – Affordable Housing which states that West Oxfordshire District Council and its partners will work with parish councils, registered providers of affordable housing and local housing, community land and self-build trusts to identify additional suitable rural sites for small scale affordable housing schemes to meet specific local housing needs which cannot be met in any other way.

All new homes on these sites will remain affordable in perpetuity to people in housing need who have a local connection with the parish or appropriate adjoining parishes. Sites will be well-related to the existing built-up areas of towns and villages. Where family homes are proposed priority will be given to locations within a reasonable walking distance of a primary school.

In accordance with the NPPF, Policy H3 recognises that an element of market housing may be appropriate as part of the overall mix within a rural exception site. In such cases, it will be for the developer or landowner to demonstrate not only why the site is suitable for housing, but also why a traditional rural exception site approach (i.e. 100% affordable housing) is not appropriate or achievable. Any market housing will be expected to be a subsidiary element of a predominantly affordable housing scheme.

Any such proposal will be considered against the relevant policies of the Local Plan including in particular Policy OS2: Locating development in the Right Places and Policy H2: Delivery of new homes.

Neighbourhood Plans provides a further opportunity to identify small-scale affordable housing sites again potentially with an element of market housing. The District Council will work proactively with local communities to identify any such opportunities.
Entry-Level Exception Sites

The NPPF states that ‘Local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority’s area.

These sites should be on land which is not already allocated for housing and should:

a) comprise of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of this Framework; and

b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in this Framework, and comply with any local design policies and standards.

Entry-level exception sites should not be larger than one hectare in size or exceed 5% of the size of the existing settlement. In addition they should not be permitted in Areas of Outstanding National Beauty or land designated as Green Belt.

The Council will consider any such proposals on their merits.

5.5 Self and custom-build

The Government is supportive of custom build housing which it sees as a more affordable route to home ownership and an opportunity to create bespoke, well-designed and sustainably constructed new homes. It also offers the opportunity for small local builders and contractors creating local jobs and contributing to the local economy.

The Local Authority maintains a self-build register where those wishing to express an interest in self and custom build can register. The register allows the District to gauge the level of demand locally and the type of route they are interested in e.g. serviced plot, self-finish, custom build etc. and examine how many meet the locally applied criteria. These criteria include local connection, future occupation as sole residence, financial capability etc.

There is a clear level of interest with 641 entries currently on the self-build register and the council is keen to promote greater diversity in the local housing stock, innovative design and more affordable and sustainable construction.

One of the measures introduced by the Council to meet the demand is requiring a portion of larger housing developments (100 or more dwellings) to set aside 5% of their site for custom / self-build or provide other suitable land available to meet the need. The Council will seek the appropriate portion of affordable housing for the self-build units and this number will form part of the overall affordable housing allocation.

For example; on a site of 1,000 homes where the requirement is for 40% affordable housing (400 homes) then of the self-build element of 5% (50 homes) 40% will be affordable i.e. 20 homes. These will be deducted from the overall affordable requirement reducing it from 400 to 380 homes.
Full details can be found under Policy HS of the Local Plan 2031

The Council will also encourage the re-use of existing buildings through custom/self-build projects and welcome submissions from groups and individuals for the conversion / re-purposing of existing buildings.

6.0 Affordable Housing Standards and Design Requirements

Design Standards for affordable housing should be no lower than that for market housing and should be tenure blind i.e. not distinguishable by its external appearance. Housing supplied for a Registered Provider should be constructed to the standards approved by the RP and it is critical that the design process recognises at an early stage the need to accommodate a mix of affordable tenures. This mix must meet the needs of, and be attractive to, RP’s and applicants are encouraged to undertake early discussions with RP’s, considering alternative designs where necessary in order to accommodate on site the affordable housing requirement.

6.1 Design criteria

In order to achieve mixed and balanced communities, each development should look to meet the following design criteria:

- there should be no distinction between affordable units and market units, i.e. the development should be ‘tenure blind’;
- the same level of parking provision should be made for the affordable housing units as for market units, and;
- affordable units should be distributed evenly throughout the development where practicable to promote social inclusion and mixed communities. The exception to this is in relation to the design and provision of housing for older people and developers will need to demonstrate why a deviation is required when seeking approval.

6.2 Accessibility and adaptability

The WODC Local Plan has identified the requirement for housing to meet the needs of different groups in the community and some form of specialist housing provision will be required.

The Oxfordshire SHMA (2014) suggests that across Oxfordshire demographic trends are expected to lead to a growth in the number of households with disabilities and will seek to ensure that new homes are able to meet the changing needs of occupants as their needs change to enable them to remain in their homes as they age.

In recognition of this, under the Local Plan, the Council will require larger housing developments of 50 or more units to provide a percentage of new homes as accessible and adaptable housing designed to meet Building Regulations Requirements M4(2). This is broadly equivalent to Lifetime

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7 https://www.westoxon.gov.uk/media/feyjmpen/local-plan.pdf

Homes Standards and affordable units should be built to provide suitable levels of internal space as set out in the nationally described space standards.

As a minimum the council will seek the provision of at least 25% of market and affordable homes to this standard.

In addition, to cater for the anticipated increase in the number of people with disabilities, due to the ageing population, developers will be expected to provide 5% of homes as wheelchair adaptable dwellings designed to meet Building Regulation Requirement M4(3)⁹.

Data from the WODC Homeseeker+ register shows an increasing demand for either lift access or ground floor properties increasing with age and developers are encouraged to consider this need when designing new developments.

6.3 Space standards

In March 2015 the Government set out the nationally prescribed space standards for new housing¹⁰. The guidelines set out the gross internal floor area for new dwellings at a defined level of occupancy as well as dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. Whilst it is not a policy requirement of the Local Plan, WODC supports the use of this guidance and encourages developers to apply these as a minimum when designing new homes.

6.4 Zero-carbon homes

WODC has declared a climate and ecological emergency. In the wake of that emergency, as part of a suite of overall measures, the Council now expect developers and applicants to adopt the highest possible standards of energy and sustainable design to ensure new homes being delivered in West Oxfordshire are fit for the future. WODC has adopted a number of policies within the local plan to help protect and enhance our environment and reduce the impact from climate change. Policy CO18 seeks to ‘improve the sustainable design and construction of new developments, including improving efficiency and water management’.

WODC will expect all applicants to take full consideration of these policy requirements and demonstrate, within their planning application, how the design of new affordable homes will go above and beyond in terms of delivering exemplary standards of sustainability.

WODC are committed to working in partnership with developers/landowners to support and encourage the wide-scale delivery of affordable housing designed to exemplary standards of fabric-energy efficiency and net-zero carbon in operation. Homes designed to this standard will be able to demonstrate, through an assessment methodology agreed in consultation with the Council, that there are zero-carbon emissions associated with the building in operation and over the course of the year a net-zero operational balance will be met.

For ultra-low energy detached and terraced housing that have a large roof area relative to floor area and a low energy intensity, 100% of their annual energy demand can be met through on-site renewables, typically through the incorporation of roof-mounted solar PV.

For new homes where roof areas are limited and/or the site constrained, investment into near/off-site renewables will be assessed by WODC on a site by site basis.

**Sustainable Design and Construction Checklist**

To aid developers and landowners, WODC will be producing a ‘Sustainable Design and Construction Checklist’ for applicants, setting specific sustainability standards for different building typologies. This will be presented within the context of Government’s proposed and enhanced standards being implemented through Building Regulations and Future Homes Standard. Developers/landowners submitting applications that achieve exemplary standards in line with the Sustainable Design and Construction Checklist will be favoured in the determining of planning applications for affordable housing.

A table of the ten key requirements for net-zero carbon, including affordable homes, is shown overleaf. Further advice and guidance can be obtained from WODC’s Climate Change Manager and applicants are encouraged to discuss their proposals at the earliest stage.

More information on Passivhaus standards is available from the Passivhaus Trust.11 In addition, there are already a number of award winning sustainable developments that have been built the most

11 [https://www.passivhaustrust.org.uk/](https://www.passivhaustrust.org.uk/)
notable being the Goldsmith Street for Norwich City Council, a 100% affordable housing scheme built to Passivhaus standards\textsuperscript{12}

\textsuperscript{12} \url{https://ggbec.co.uk/portfolio/ambitious-me-design-for-uks-largest-passivhaus-social-housing-scheme}
Ten key requirements for new buildings

By 2030 all new buildings must operate at net zero to meet our climate change targets. This means that by 2025 all new buildings will need to be designed to meet these targets. This page sets out the approach to operational carbon that will be necessary to deliver zero carbon buildings. For more information about any of these requirements and how to meet them, please refer to the: UKGBC - Net Zero Carbon Buildings Framework; BBP - Design for Performance Initiative; RIBA - 2030 Climate Challenge; GIA - Net Zero Housing Protocol; Map: CiBSE - Climate Action Plan and; LETI - Climate Emergency Design Guide.

Low energy use

Total Energy Use Intensity (EUI) - Energy use measured at the meter should be equal to or less than:
- 35 kWh/m²/yr (GIA) for residential

For non-domestic buildings a minimum EUI of 40 kWh/m²/yr must be achieved and/or an EUI equal to or less than:
- 65 kWh/m²/yr (GIA) for schools
- 70 kWh/m²/yr (NLA) or 55 kWh/m²/yr (GIA) for commercial offices

Building fabric is very important therefore space heating demand should be less than 18 kWh/m²/yr for all building types.

Measurement and verification

Annual energy use and renewable energy generation on-site must be reported and independently verified in-use each year for the first 5 years. This can be done on an aggregated and anonymised basis for residential buildings.

Reducing construction impacts

Embodied carbon should be assessed, reduced and verified post-construction.

Low carbon energy supply

Heating and hot water should not be generated using fossil fuels.

The average annual carbon content of the heat supplied (gCO₂/kWh) should be reported.

On-site renewable electricity should be maximised.

Energy demand response and storage measures should be incorporated and the building annual peak energy demand should be reported.

Zero carbon balance

A carbon balance calculation (on an annual basis) should be undertaken and it should be demonstrated that the building achieves a net zero carbon balance.

Any energy use not met by on-site renewables should be met by an investment into additional renewable energy capacity off-site OR a minimum 15 year renewable energy power purchase agreement (PPA). A green tariff is not robust enough and does not provide "additional" renewables.

Notes:

Note 1 - Energy use intensity (EUI) targets
The value of 35 kWh/m²/yr is an average for all energy use in the building, measured and metered, and is measured at the meter's nominal volume of energy. It includes the electricity used for space heating, water heating, lighting, appliances, and other uses. It is a useful metric for comparing buildings and for verifying compliance with the Energy Performance of Buildings Directive (EPBD) for buildings over 1000 m². The target is 35 kWh/m²/yr and is set at a level that can be achieved in practice. A range of the best performing buildings in the UK are achieving this target. The renewable energy supply for all buildings should be in line with the recommendations of the Building Regulations for new buildings. The targets for new buildings are set at a level that can be achieved in practice. The targets for existing buildings are set at a level that can be achieved in practice. The targets for new buildings are set at a level that can be achieved in practice.

Note 2 - Embodied carbon
The value of -0.47 kgCO₂e/m² is the embodied carbon for a typical new building in the UK as measured by the UKGBC. The value is based on a typical new building in the UK and is set at a level that can be achieved in practice. The target is 0.47 kgCO₂e/m² and is set at a level that can be achieved in practice. The target is 0.47 kgCO₂e/m² and is set at a level that can be achieved in practice. The target is 0.47 kgCO₂e/m² and is set at a level that can be achieved in practice.

Note 3 - Green tariffs
It is recommended that green tariffs are not used in new buildings. Green tariffs are not robust enough and do not provide "additional" renewables. It is recommended that green tariffs are not used in new buildings. Green tariffs are not robust enough and do not provide "additional" renewables. It is recommended that green tariffs are not used in new buildings. Green tariffs are not robust enough and do not provide "additional" renewables.

Note 4 - Adaptation to climate change
Net zero carbon buildings should be adapted to climate change. It is essential that the risk of overheating is minimised and that cooling is maximised.

Note 5 - On-site renewables
On-site renewables should be maximised. On-site renewables should be maximised. On-site renewables should be maximised. On-site renewables should be maximised.

Note 6 - Energy demand response
Energy demand response should be incorporated. Energy demand response should be incorporated. Energy demand response should be incorporated. Energy demand response should be incorporated.
6.5 Modern Methods of Construction (MMC)

WODC welcomes the use of modern methods of construction including off site construction as a delivery mechanism to increase the speed of delivery of new homes in the district. Such off-site construction must still meet the relevant guidance and the Government is and is seeking an uplift to Part L of the Building Regulations and changes to part F (ventilation) as part of its consultation on the Future Homes Standard. The aim is to increase the energy efficiency requirements for new homes and requires all new build homes to be future-proofed with low energy heating and world leading levels of energy efficiency. The new standards will be introduced in 2025. WODC are in support of the new standards as a mean to address the climate emergency and reduce energy bills for our residents, especially those in affordable housing.

WODC are interested to discuss with developers schemes delivered through for off-site construction especially where it will enable the increase the speed of delivery of new homes in the district.

7.0 Viability

7.1 Approach to viability considerations in West Oxfordshire

The provision of affordable housing will affect the value of land for residential development but will not generally render it uneconomic for residential development. The costs of delivering a workable, high quality development should be anticipated and reflected in the price paid for land and not reduce the ability of a site to provide what is required under the planning obligation.

This is reflected in the Government’s practice guidance on viability which states that the total cost of all relevant policy requirements including contributions towards affordable housing should be taken into account when defining benchmark land values. Policy H3 of the Local Plan has been subject to viability assessment through the preparation of the Local Plan 2031 and is a known requirement of residential development in West Oxfordshire. As such, there will be a presumption that developments will include full and appropriate provision for affordable housing unless it can be robustly demonstrated otherwise.

This is consistent with the Government’s practice guidance on viability which states that ‘where up-to-date policies have set out the contributions expected from development, planning applications that fully comply with them should be assumed to be viable’. On this basis, it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. Such circumstances could include, for example where development is proposed on unallocated sites of a wholly different type to those used in viability assessment that informed the plan; where further information on infrastructure or site costs is required; where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older

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14 Viability Planning Practice Guidance - Paragraph: 012 Reference ID: 10-012-20180724

15 Viability Planning Practice Guidance - Paragraph: 007 Reference ID: 10-007-20190509
people); or where a recession or similar significant economic changes have occurred since the plan was brought into force.

In such instances, the onus is on the developer to demonstrate viability providing a full economic appraisal of the cost of development including returns from sale of housing, contribution to local infrastructure and services and required profit margin. The appraisal should be presented on a residual land value basis and include a valuation of the site in its current use, not the purchase price or hope value, and should accompany the planning application or form part of the pre-application discussions.

In accordance with the Government’s viability practice guidance, where a viability assessment is submitted to accompany a planning application this should be based upon and refer back to the viability assessment that informed the plan; and the applicant should provide evidence of what has changed since then.

Any viability assessment should reflect the government’s recommended approach to defining key inputs as set out in National Planning Guidance.

Where the Council requires independent advice to validate a viability appraisal, the cost will be borne by the applicant.

Where the Council is satisfied that viability would be jeopardised by full provision of affordable housing it will consider supporting external subsidy to enable full provision. Consideration will also be given to altering the mix including size and tenure in accordance with Policy H3.

As a last resort the number of affordable dwellings sought will be reduced to make the development viable.

8.0 Delivery Mechanisms

8.1 S106 agreements

The Council will generally expect affordable housing to be secured by a S106 agreement. The Heads of Terms of any agreement will need to be established before determination of a planning application the cost of which will be borne by the applicant. An example of a standard S106 agreement can be found in Appendix 3. This is for guidance only as individual heads of terms will need to be agreed for each development.

8.2 Timing of provision

Affordable housing should be provided at the same time as open market housing on a site to ensure that there is no imbalance in the supply of affordable housing in the creation of new communities. Developments that seek to delay provision of affordable housing to the end of the development will not be considered favourably by WODC.

Where infrastructure may be substantial the Council may permit the sale of an agreed percentage of market homes before the sale or transfer of affordable homes with the remainder to be provided in tranches alongside the market housing.
However no development should commence until the affordable housing scheme has been approved and a contract entered into with a Registered Provider and a copy of the contract provided to the Council.

8.3 Occupancy:

Nomination and allocation

All applicants seeking social housing will complete the same process and will be assessed against the same clear set of criteria. Depending on their circumstances, applicants will be placed into one of four bands Emergency, Gold, Silver or Bronze. Local connection will be applied to the majority of vacancies to help each local authority meet their housing demand or where it is a legal requirement.

Once a successful application has been made, applicants are advised of their banding and application date, together with details of how to access the Choice Based Lettings (CBL) system. This enables them to bid for affordable housing vacancies being advertised in West Oxfordshire.

Homeseeker Plus

West Oxfordshire District Council is one of seven local authorities that operate Homeseeker Plus, a CBL scheme run in partnership with the Social Housing Landlords operating within West Oxfordshire. Affordable homes made available for rental tenures in the district are allocated using this scheme.

Homeseeker Plus enables Social Housing landlords to advertise their homes and applicants are asked to bid for them. The majority of social rented housing vacancies are advertised as per local nomination agreements, however social housing landlords may choose to apply their own published allocation policies.

Once a bid is placed the computer system will place applicants in order of band, and whether they meet the criteria of the advert. Priority for properties goes to those who have a local connection with the local authority in which the property is located, then to those who have a local connection with any of the other Homeseeker Plus districts and finally to anyone else. Responsibility for letting each available property lies with the Social housing landlord. An application for sheltered and extra care housing for certain schemes may need an assessment of the support needs, prior to an offer being made.

8.4 Essential Local Workers (otherwise referred to as Key Workers)

The NPPF defines ‘essential local workers’ as including ‘Public sector employees who provide frontline services in areas including health, education and community safety – such as NHS staff, teachers, police, firefighters and military personnel, social care and childcare workers’.

The NPPF definition of affordable housing includes housing that provides a subsidised route to home ownership and/or is for essential local workers.

WODC recognises that housing affordability is critical to attracting and retaining essential local workers/key workers in the district.
WODC participates in ongoing collaboration with Oxfordshire County Council in identifying and promoting opportunities for key worker accommodation. Oxfordshire County Council has published a document ‘Finding A Home In Oxfordshire – A Guide For Key Workers’.

Furthermore, WODC recognises that in addition to the health, education, emergency, police and military services traditionally associated with key workers, the definition should be expanded and not limited. Key workers can be employed in commercial, industrial, public bodies, care, farming/agricultural and transport industries as examples. Enabling people to live close to their place of work may also be considered a reason to award Key / Essential Worker status.

The Council seeks to attract investment and as a place for new businesses to grow. As part of the Oxford-Cambridge Innovation Arc future concentration of investment and growth is anticipated. Key workers are vital to the economic success of the district.

WODC are supportive of, and will seek, innovative methods to bring forward proposals to provide key worker accommodation and offer assistance in facilitating liaison with key contacts.

Legal agreements and supplementary documents such as Local Lettings Plans are suggested as platforms for promoting key worker accommodation on agreed schemes. Applicants to the Council’s Choice Based Lettings system may be awarded a prioritised classification if they can demonstrate their Key / Essential Worker status. It is expected that those applying for key worker will be expected to meet other qualifying criteria for affordable housing.

8.5 Housing Options for Members of the Armed Services

West Oxfordshire District Council supports the Oxfordshire Armed Forces Community covenant. We administer the waiting list for all housing association properties that are situated in West Oxfordshire and applications are prioritised according to housing need. Serving members of the Armed Forces are eligible to register on the list, they do not need to have a local connection to West Oxfordshire but if they do, their application will have more priority.

Former members of the Armed Forces are also eligible to register on the housing waiting list if they have a local connection to West Oxfordshire. However, even if there is no local connection, former Armed Forces members can register within five years from their date of discharge from the Forces.

Bereaved spouses or civil partners of those serving in the regular forces are also eligible to register where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.

Existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service are also eligible.

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17 [https://www.westoxon.gov.uk/housing/housing-advice/armed-forces-housing-options/](https://www.westoxon.gov.uk/housing/housing-advice/armed-forces-housing-options/)
8.6 Community-led housing

WODC is supportive of Community Led Housing Initiatives and has a long standing tradition of supporting this type of housing delivery. Stonesfield Community Land Trust in West Oxfordshire is one of the first CLT’s in the country and has been supported by WODC to deliver a number of affordable housing schemes within the village since 1983. WODC is currently working with other local groups interested in delivering community led schemes in the district.

These schemes are set up and run by a local, independent, not-for-profit organisation which has often been specifically created for the purpose of building affordable homes for the community.

This can be a collection of individuals, a parish or town council, a developer or a registered provider looking to work in partnership with the community initially by providing a site and offering further support as the development progresses.

The organisation will ensure homes for rent, sale or shared ownership remain affordable for local people. The housing is usually developed by, with and for the community and the community group have the opportunity to develop skills and expertise along the way.

Community-led housing is highly flexible depending on the type of scheme required such as co-housing; self-help housing; Community Land Trusts and co-operative and resident-controlled housing.

What Issues can Community-led Housing Tackle?

Community-led housing can involve market sale, discount market sale, shared ownership, market rent, affordable rent, rent to buy or a combination of these. This way it can empower local communities, making them more resilient and able to address issues and groups such as affordability; downsizing; an ageing population; first time buyers and fuel poverty.

What are the guidelines for Community-led Housing?

Community-led housing proposals should ensure that:

- Meaningful community engagement and consent occurs throughout the development process. The community does not necessarily have to initiate and manage the process, or build the homes themselves

- The local community group or organisation owns, manages or stewards the homes in a manner of their choosing. This may be done through a mutually supported arrangement with a registered provider that owns the freehold or leasehold for the property

- The benefits to the local area and/or specified community must be clearly defined and legally protected in perpetuity

Models of Community-Led Housing

Community Land Trusts (CLTs) - a form of community-led Housing, set up and run by people to develop and manage homes as well as other assets. They act as long-term stewards of land and housing. In this model they may delegate the development work and/or management of the asset to
a project partner such as a housing association or the CLT may become a registered provider itself. For more information visit the National CLT Network\(^{18}\).

Co-housing - groups of self-contained dwellings with the benefit of shared additional facilities all managed by a group. The facility may be a large kitchen where group meals are shared or a hall where meetings and classes may be hosted. It can be a communal garden facility. For more information visit UK Cohousing\(^{19}\).

Co-operatives - a form of community-led housing where it is built (or renovated) and managed by members of a group with democratic collective control to influence the scheme and its management. The tenure would be shared ownership or affordable rent. For more information visit The Confederation of Co-operative Housing\(^{20}\).

Community Custom and Self-Build - where an individual or 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. For more information visit the National Custom and Self-build Association\(^{21}\).

9.0 New routes to delivery

West Oxfordshire District Council is interested in working in partnership with our neighbouring Oxfordshire Local Authorities and local landowners to accelerate the delivery of affordable housing in the District. Through potential partnership arrangements we will seek to establish a pipeline of suitable sites for development and look to increase the speed with which new homes can be constructed for the residents of West Oxfordshire.

9.1 Blenheim approach

WODC has a longstanding partnership with Blenheim Estate and has been working closely with Blenheim on an innovative model for delivering an increased level of affordable housing at between 60 – 80% of market rental costs. This model has been successfully implemented in Long Hanborough and will also be offered on their other sites for development at Woodstock East. It is the intention of Blenheim to retain ownership of the rental properties so they can be held in perpetuity for local people, especially those within the key worker categories. Shared ownership properties are also available under the model and residents can staircase up to 100% ownership with Blenheim having first refusal on purchase if the properties subsequently come to the market.

All allocations for affordable housing properties are handled through WODC’s Homeseeker Plus team for affordable rent and Help to Buy South\(^{22}\) for shared ownership.

9.2 Partnerships with legacy landowners

WODC is also interested in partnering with other legacy landowners to accelerate delivery of affordable housing in the district and would welcome discussions with those landowners who are considering development as part of their long term legacy planning. Rural exception sites that would

\(^{18}\) [http://www.communitylandtrusts.org.uk/](http://www.communitylandtrusts.org.uk/)
\(^{19}\) [https://cohousing.org.uk/](https://cohousing.org.uk/)
\(^{20}\) [https://www.cch.coop/](https://www.cch.coop/)
\(^{21}\) [https://nacsba.org.uk/](https://nacsba.org.uk/)
\(^{22}\) [https://www.helptobuyagent3.org.uk/](https://www.helptobuyagent3.org.uk/)
help meet the affordable housing needs of our smaller rural settlements are particularly of interest. Please contact the Strategic Affordable Housing Team for further discussion.

10.0 Oxfordshire Housing and Growth Deal

In 2017 Oxfordshire’s six local authorities together with the Oxfordshire Local Enterprise Partnership began collaboration with the Government (Oxfordshire Housing and Growth Deal).

As part of this collaboration, Oxfordshire received £215 million of new funding to support provision of 100,000 new homes in Oxfordshire by 2031.

Of this total, £150 million focuses on infrastructure to help accelerate delivery of these new homes.

It also includes £60 million for a bespoke programme to deliver at least 1320 additional affordable homes by March 2021 (named the Oxfordshire Affordable Housing Programme). This fund is additional to the existing Homes England Affordable Homes Programme which is ongoing and will continue alongside it.

Whilst use of the Growth Deal funding will not be a material consideration in planning applications, it is intended that it will help facilitate additional affordable housing to that secured through legal agreements.

By releasing its funds early in the development process, it is intended that Growth Deal becomes attractive to developers in the financing of their schemes.

Future West Oxfordshire Affordable Housing Programme

The Oxfordshire Housing and Growth Deal will work to secure further public and private funding to support the ambition of providing 100,000 new homes by 2031.

Post COVID-19 pandemic, an extension to the Growth Deal program to include a 4th year is anticipated. Additionally, through collaboration and use of grant funding, West Oxfordshire District Council seeks to establish a lasting programme that will, via a pipeline of schemes, strategic partnerships and innovative delivery vehicles, provide a material uplift in the level of new affordable housing in Oxfordshire and seek to increase the pace of its delivery.

11.0 Monitoring and Review

The delivery of affordable housing will be monitored in the Council’s Annual Monitoring Report, and the contents of this SPD will be updated as appropriate.
Glossary

Annual Monitoring Report

Information on the implementation of planning policies in West Oxfordshire published and submitted to Central Government at the end of each calendar year.

Discount Market Housing

Affordable Housing which is wholly owned by the occupier but is always sold at a discount on full market price.

Homeseeker+

West Oxfordshire District Council’s register of residents seeking affordable housing. Residents are required to register with Homeseeker+ to be eligible to apply for affordable housing units that become available within the district.

Intermediate Housing

Affordable Housing which is wholly or partly owned by the occupier but acquired at below full market price. Shared Ownership and Discount Market Sale are types of intermediate housing.

Nominations Agreement

An agreement between the Council and a Registered Provider of affordable housing which allows the council to specify key criteria for the occupiers of the housing.

Registered Provider

The term 'Registered Providers' includes both private registered providers of social housing (mainly housing associations) and local authorities that are registered with the Regulator\(^{23}\) of Social Housing.

Registered Providers Shared Ownership

Affordable housing which is part owned by the occupier who also pays rent on the remainder of the property, usually an RP.

Supplementary Planning Document (SPD)

A document that supplements and elaborates policies and proposals in the Local Plan document.

Appendix 1 - Policy H3 Affordable housing

In order to address identified affordable housing needs, the Council will require ‘qualifying’ market housing schemes to make an appropriate contribution towards the provision of affordable housing within the District.

Within the Cotswolds AONB, housing schemes of 6-10 units and which have a maximum combined gross floorspace of no more than 1,000m² will be required to make a financial contribution towards the provision of affordable housing off-site within the District. This commuted sum will be deferred until completion of the development to assist with viability.

Across the District as a whole, housing schemes of 11 or more units or which have a maximum combined gross floorspace of more than 1,000m² will be required to provide affordable housing on-site as a proportion of the market homes proposed as follows:

- High value zone (50%)
- Medium value zone (40%)
- Low value zone (35%)

The following levels of affordable housing provision will be applied in relation to sheltered housing and extra-care housing: Sheltered housing

- High value zone (50%)
- Medium value zone (40%)
- Low value zone (35%)

Extra-care housing

- High value zone (45%)
- Medium value zone (35%)
- Low value zone (10%)

In circumstances where it can be demonstrated that the level of affordable housing being sought would make a scheme unviable, a revised mix and type of housing will be considered before a lower level of affordable housing provision is accepted.

Where external funding is available it may be applied to schemes to ensure affordability of rental levels or to increase the number or to change tenure or type of homes to meet priority needs.

Affordable housing mix and tenure will be responsive to identified local needs and site specific opportunities. A financial contribution for the provision of affordable housing on other sites in West Oxfordshire in lieu of on-site provision may be appropriate if it can be demonstrated that:

- It is not physically possible or feasible to provide affordable housing on the application site; or

- There is evidence that a separate site would more satisfactorily meet local housing need and contribute to the creation of mixed communities.

In some instances, a combination of on-site provision and a financial contribution may be appropriate.

West Oxfordshire District Council and its partners will work with parish councils, registered providers of affordable housing and local housing, community land and self-build trusts to identify additional suitable rural sites for small scale affordable housing schemes to meet specific local housing needs which cannot be met in any other way. All new homes on these sites will remain affordable in perpetuity to people in housing need who have a local connection with the parish or appropriate adjoining parishes. Sites will be well-related to the existing built-up areas of towns and villages. Where family homes are proposed priority will be given to locations within a reasonable walking distance of a primary school.

The Council will consider the inclusion of an element of market housing in rural exception sites (RES) provided it is demonstrated to be necessary to delivery (eg. by subsidising the affordable element). In such cases, any market housing would be expected to be a subsidiary element of a predominantly affordable housing scheme.
Appendix 2 - Useful Contacts

West Oxfordshire District Council
Elmfield, New Yatt Road
Witney, Oxon OX28 1PB

https://www.westoxon.gov.uk

**Strategic Housing Manager** – for information on housing need and types of affordable housing

**Planning Policy Manager** – for general planning advice

**Area Planning Manager** – for site specific and pre-application advice.

Planning: 01993 861420

Email: planning@westoxon.gov.uk

**Registered Providers**

<table>
<thead>
<tr>
<th>Registered Provider</th>
<th>Tel:</th>
<th>Web:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cottsway Housing Association, Cottsway House, Heynes Place, Avenue Two, Witney, Oxfordshire, OX28 4YG</td>
<td>01993 890000</td>
<td><a href="http://www.cottsway.co.uk">www.cottsway.co.uk</a></td>
</tr>
<tr>
<td>Sovereign, Woodlands, 90 Bartholomew Street, Newbury, RG14 5EE</td>
<td>0300 5000 926</td>
<td><a href="http://www.sovereign.org.uk">www.sovereign.org.uk</a></td>
</tr>
<tr>
<td>Clarion Housing, Level 6, 6 More London Place, Tooley Street, London, SE1 2DA</td>
<td><strong>0300 500 8000</strong></td>
<td><a href="http://www.clarionhg.com">www.clarionhg.com</a></td>
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<td>Aster Group, Sarsen Court, Horton Avenue, Cinnings Hill, Devizes, Wiltshire, SN10 2AZ</td>
<td>0333 400 8222</td>
<td><a href="http://www.aster.co.uk">www.aster.co.uk</a></td>
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<td>Sanctuary Housing Association, Chamber Court, Castle St, Worcester, WR1 3ZQ</td>
<td>0800 131 3348</td>
<td><a href="http://www.sanctuary-housing.co.uk">www.sanctuary-housing.co.uk</a></td>
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<td>GreenSquare, Methuen Park, Chippenham, Wiltshire, SN14 0GU</td>
<td>01249 465465</td>
<td><a href="http://www.greensquaregroup.com">www.greensquaregroup.com</a></td>
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<td>SOHA, Royal Scot House, 99 Station Rd, Didcot, OX11 7NN</td>
<td>01235 515900</td>
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<td>Sage Housing, Orion House, 5 Upper St Martin’s Ln, West End, London, WC2H 9EA</td>
<td>020 3369 0431</td>
<td><a href="http://www.sagehousing.co.uk">www.sagehousing.co.uk</a></td>
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<tr>
<td>Platform Housing Group, Progress House, Midland Rd, Worcester, WR5 1DU</td>
<td>0333 200 7304</td>
<td><a href="http://www.platformhg.com">www.platformhg.com</a></td>
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<tr>
<td>Stonewater Housing Association, Montpelier House, Southbank Rd, Kenilworth, CV8 1LA</td>
<td>01926 859857</td>
<td><a href="http://www.stonewater.org">www.stonewater.org</a></td>
</tr>
<tr>
<td>Housing 21, Tricorn House, 51–53 Hagley Road, Birmingham, B16 8TP</td>
<td>0370 192 4000</td>
<td><a href="http://www.housing21.org.uk">www.housing21.org.uk</a></td>
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Appendix 3- Example S106 Agreement Affordable Housing Schedule

1. Definitions

In this Schedule

1.1 “Affordable Housing” means dwellings that will be available to households who are otherwise unable to secure private sector housing for purchase or rent locally in prevailing economic circumstances such housing being provided for in conformity with the advice contained in the National Planning Policy Framework published by the Department for Communities and Local Government and who have in the opinion of the District Council a need for such housing and which housing is to be constructed on the Site.

1.2 “Affordable Housing Dwellings” means at least % of the Dwellings to be built as part of the Development as Affordable Housing and constructed and provided in accordance with the Affordable Housing Scheme.

1.3 “Affordable Rent” means a rent up to 80% of the local market rent for an equivalent property for the size and location, based on a valuation in accordance with a method recognised by the Royal Institution of Chartered Surveyors and not higher than the relevant local housing allowance maximum amount set for eligibility for housing benefit.

1.4 “Affordable Rented Units” means (unless otherwise agreed in writing by the District Council) 70% of the Affordable Housing Dwellings let by a Registered Provider and offered at an Affordable Rent (and subsequently varied in line with those rents from time to time) and on terms complying with the HCA’s good practice guidance for such rents and associated service charges.

1.5 “Affordable Housing Scheme” means a scheme including a plan setting out the location size type specification and Tenure of the Affordable Housing Dwellings which shall be approved by the Council pursuant to the terms of this Deed and with such amendments as the Council may approve from time to time.

1.6 “Applicant” means a person who is on the District Council’s Waiting List and is in need of Affordable Housing.

1.7 “Build Standards” means unless otherwise agreed by the District Council Dwellings that achieve at least the minimum requirements of Building for Life 12 (which is a
government endorsed industry standard for well-designed homes)

1.8 “Contract” means a contract to transfer the Affordable Housing Dwellings (together with all necessary rights of way and easements) to the Registered Provider

1.9 “District Council’s Waiting List” means the list for allocating Affordable Housing as set out in the Housing Nominations Scheme or any equivalent or similar replacement from time to time in existence

1.10 “HCA” means the Homes and Communities Agency created pursuant to the Housing and Regeneration Act 2008 exercising the functions in relation to the funding of affordable housing and includes any successor body exercising similar functions

1.11 “HCA Model Lease” means a lease in a form which has been approved and/or prescribed by the HCA for shared ownership which allows a lessee to acquire up to and including 100% of the equity of the Shared Ownership Unit and the freehold

1.12 “Head of Planning and Strategic Housing” means the officer of the District Council who is responsible for the affordable housing in the District Council’s area or such other officer as may be appointed from time to time

1.13 “Housing Nominations Scheme” means the prevailing District Council Housing Nominations Scheme which sets out eligibility for Applicants on the District Council’s Waiting List and the procedure for nominations from the waiting list to Affordable Housing Dwellings within the District Council’s administrative area at the time when allocations are made

1.14 “Mortgagee” means any mortgagee or chargee of:

1.14.1 any Affordable Housing Dwelling and/or;

1.14.2 a Registered Provider or the successors in title to such mortgagee or chargee or any receiver (including an administrative receiver) or manager appointed pursuant to the Law of Property Act 1925

1.15 “Nomination” means the nomination by the District Council to the Registered Provider of the Qualifying Person for an Affordable Housing Dwelling

1.16 “Practical Completion” means actual completion of the construction of the Affordable Housing Dwellings in accordance with the Contract which save for minor defects permits beneficial use and occupation of the same

1.17 “Qualifying Person” means an individual who is on the District Council’s Housing Register
1.18 “Registered Provider” means an affordable housing provider as provided for in the Housing and Regeneration Act 2008 and which

- is registered with the HCA (or its replacement body) and which has been approved by the District Council
- can demonstrate that it has sufficient stock within the West Oxfordshire District and/or can provide evidence of effective community engagement to ensure that high quality management and service standards will be employed, and
- can demonstrate that it will work jointly with the District Council in meeting the Housing Allocations Policy and agrees to enter into a formal nominations agreement with the District Council upon entering into the Contract

PROVIDED ALWAYS that if Registered Providers shall have ceased to exist or have been superseded then the expression shall be taken to mean such nearest equivalent body whose objectives include the provision of low cost housing for renting or shared ownership by local people as the District Council may reasonably approve for the purposes of this Agreement

1.19 Tenure means Affordable Housing Dwellings which comprise one or more of the following tenures types

1.19.1 Affordable Rented Unit; and/or
1.19.2 Shared Ownership Unit

1.20 “Shared Ownership Unit” means (unless otherwise agreed in writing by the District Council) 30% of the Affordable Housing Dwellings provided by a Registered Provider where a proportion of the equity is sold on a long lease to the purchaser and the remainder of the equity is initially retained by the Registered Provider subject to rent being charged on the retained equity on terms that are set out in the HCA Model Lease or such other form of lease reasonably requested by the Registered Provider and which shall be first approved by the Council and in accordance with the following:

1.20.1 the initial percentage of equity sold is between 40% (or such other lower percentage as may be agreed by the District Council) and 70% which shall be calculated to ensure the Shared Ownership Units are affordable to those in housing need with regard to local incomes and local house prices;
1.20.2 Rent on unsold equity is initially set at no more than 2.75% or such other percentage as may be agreed by the District Council (acting reasonably); and

1.20.3 Charges for services are levied in accordance with the good practice guidance issued by the HCA but provided always that this shall provision shall not prevent each such unit being responsible for contributing of a fair and reasonable proportion of any service charge levied for the Development and/or that part of the Development within which each such unit shall be situate.

1.21 “Size Standard” means compliance with the Government’s Nationally Described Space Standard for each and every unit type of Affordable Housing Unit.

2. The Owner covenants with the District Council as follows:-

2.1 Not to cause or permit the Implementation of Development until a Contract has been entered into with a Registered Provider and the Affordable Housing Scheme has been approved in writing by the District Council.

2.2 To provide the Affordable Housing Dwellings on the Site in accordance with the Affordable Housing Scheme as approved by the District Council.

2.3 Unless otherwise agreed in writing by the District Council % of the Affordable Housing Dwellings shall be 1 or 2 bedroom Dwellings to accommodate singles, couples, smaller families and older people and % of the Affordable Housing Dwellings shall be large enough to accommodate households of four or more people and this can include two bedroom houses.

2.4 To provide (unless otherwise agreed by the District Council) the Affordable Housing Dwellings so that they meet the Build Standards and the Size Standard.

2.5 To ensure that all the Affordable Housing Dwellings shall be built “tenure blind” in respect of external design and features so that they are materially indistinguishable from the General Market Housing save to the extent any variation is required to meet the specification requirements of a Registered Provider.

2.6 Not to Occupy or cause or permit the Occupation of more than
2.6.1 30% of the Dwellings which are General Market Housing (or such other number as may be agreed in writing by the District Council) until fifty Affordable Housing Dwellings have been built to Practical Completion and transferred pursuant to the Contract with the Registered Provider

2.6.2 60% of the Dwellings which are General Market Housing (or such other number as may be agreed in writing by the District Council) until all the Affordable Housing Dwellings have been built to Practical Completion and transferred pursuant to the Contract with the Registered Provider

2.7 Save for the disposal of the Affordable Housing Dwellings pursuant to the Contract from the date of Practical Completion the Affordable Housing Units shall (subject to the remaining provisions of this paragraph 2.7) not be used other than for Affordable Housing to be provided to Qualifying Persons in accordance with the District Council’s Housing Nominations Scheme and shall be retained in perpetuity as Affordable Housing to meet the needs of people locally who are financially unable to rent or purchase a private dwelling on the open market save that:-

2.7.1 where an Affordable Housing Dwelling is occupied in accordance with this clause nothing in this Agreement shall prevent the occupation of that Affordable Housing Dwelling by the spouse partner survivor or dependants of that person or such other category of person entitled to occupy or continue to occupy under prevailing housing legislation

2.7.2 any tenant or its successors in title who has exercised the right to buy/acquire pursuant to the Housing Act 1996 or any other statutory provision or contractual right to buy for the time being in place in respect of a particular Affordable Housing Dwelling will not be bound by this Agreement

2.7.3 any tenant or its successors in title of a Shared Ownership Unit who has acquired 100% of the equity to the Shared Ownership Unit will not be bound by this Agreement

2.7.4 any Mortgagee shall not be bound by this Agreement provided that the Mortgagee has first complied with paragraph 2.7.5 of this Schedule
2.7.5 a Mortgagee (whether or not the mortgagee is in possession) shall not dispose of one or more of the Affordable Housing Dwellings or commence proceedings for possession of the Affordable Housing Dwelling unless it shall

a) in the case of proceedings for possession have first given to the District Council no less than seven days prior notice of the commencement of such proceedings and at the time it commences such proceedings shall send copies of any notices or documents served in relation to such proceedings to the District Council’s Head of Planning and Strategic Housing

b) in the event that the Mortgagee chooses to exercise its power of sale or leasing it shall serve written notice to that effect on the District Council and shall use its reasonable endeavours over a period of three months from the date on which it served notice on the District Council to dispose of the Affordable Housing Dwelling(s) (as the case may be) to a Registered Provider on terms which will retain the Affordable Housing Dwellings as Affordable Housing provided that the Mortgagee shall not be required to dispose of the Affordable Housing Dwelling(s) at less than market value taking into account the terms of this Agreement for a consideration less than the monies owed to the Mortgagee such consideration to include all accrued principal monies interest and costs and expenses

c) In the event that the Mortgagee is unable to dispose of the Affordable Housing Dwellings within the said period of three months the Mortgagee shall be entitled to dispose of the Affordable Housing Dwelling(s) at its discretion free from all the obligations or restrictions in this Deed and following such disposal the disponee and its successors in title will not be bound by this Agreement
2.8 Nominations to all Affordable Rented Units on first and subsequent occupation shall be made by the District Council in accordance with the District Council’s Housing Nominations Scheme and a nomination agreement to be entered into between the District Council and the Registered Provider.