



WEST OXFORDSHIRE
DISTRICT COUNCIL

Affordable Housing Supplementary Planning Document

Adopted April 2007



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*To be updated annually

Purpose

- 1.1. This document provides detailed guidance on how the District Council will secure the delivery of affordable housing through Policy H11 of the West Oxfordshire Local Plan 2011 adopted in June 2006. Policy H11 is set out in Annex 1.
- 1.2. The objectives of this guidance are:
 - to deliver a better balance between affordable housing needs and the supply of affordable accommodation in West Oxfordshire
 - to ensure the availability of a wide choice of housing types
 - to help sustain inclusive and mixed communities in both towns and villages.

Scope

- 1.3. This supplementary planning document (SPD) does not address the implementation of Policy H12 of the Local Plan which relates to affordable housing developments permitted as an exception to normal planning policies (rural exception sites) for which separate guidance is available.
- 1.4. This document contains guidance on the following:
 - Developments where affordable housing will be sought (qualifying sites/thresholds)
 - The number of affordable homes
 - The size and mix
 - Standards and design
 - Timing of provision
 - Occupancy
 - Tenure
 - Delivery mechanisms
 - Viability
 - Section 106 Agreements

Status

- 1.5. This Affordable Housing SPD is a Local Development Document, prepared in line with the provisions of the new Planning and Compulsory Purchase Act 2004. It was formally adopted by the Council on 4 April 2007, following public consultation which included a workshop attended by landowners and developers and other key players in the implementation of the SPD. This SPD will be taken into account as a material consideration when Policy H11 of the Local Plan is applied to planning applications for residential development.
- 1.6. The delivery of affordable housing will be monitored in the Council's Annual Monitoring Report and the contents of this SPD will be reviewed and amended as appropriate. The tables in Annexes 2 and 3 will be updated annually.

Definition of Affordable Housing

- 1.7. For the purposes of Policy H11 and this SPD, affordable housing is defined as:

Housing which is affordable to those who cannot afford market priced housing locally to either rent or purchase. It is housing provided with either public or private subsidy for people who are unable to resolve their housing requirements in the local housing market because of the relationship between housing cost and local incomes.

It does not include 'low priced' or low cost housing which is market priced housing at the bottom end of the price range. It does include social rented housing and intermediate housing i.e. shared ownership (New Build Homebuy) and discounted market housing for sale to first and subsequent purchasers in housing need at an agreed discount below full market value. In appropriate circumstances, discounted private sector rented accommodation may also fall within the definition of intermediate housing provided the discount is preserved in perpetuity at an affordable level and arrangements are in place for

properties to be let to local people in housing need. Key Worker housing is not regarded as a separate category: key workers moving into the District will be considered for their eligibility for affordable housing, taking into account their particular circumstances and local housing need at the time.

Further Guidance

- I.8. More detailed advice on affordable housing in connection with a particular development proposal can be obtained from the District Council's planning and housing services and prospective developers are recommended to contact the Council at an early stage before submitting a planning application.
- I.9. Where affordable housing is to be transferred to a Registered Social Landlord (RSL), (which will normally be the case except for certain types of intermediate housing) detailed discussions should be held with the RSL on housing layouts and specifications prior to the submission of a detailed planning application. Any RSL must be able to meet the Council's current eligibility criteria.
- I.10. Please see the Glossary for an explanation of the abbreviations and terms used in this document.

2 Background

- 2.1 The need for affordable housing has been an issue in the District for many years and led to the inclusion of a policy (Policy H11) in the first West Oxfordshire Local Plan (adopted in 1997) seeking an element of affordable housing on certain housing developments. However, Housing Needs Surveys including a Housing Needs Survey Update in 2004 revealed an increasing disparity between local house prices/rents and incomes and consequently an increase in the number of people unable to afford to buy or rent suitable market housing. Consequently, Policy H11 of the West Oxfordshire Local Plan 2011 was framed to secure an increase in the number of affordable homes by increasing the number of developments which should include affordable housing and increasing the number of affordable homes on those developments. This approach was examined at the 2004 Local Plan Inquiry and endorsed by the Inspector.
- 2.2 The Council aims to increase the number of affordable dwellings and to widen the choice of dwelling sizes and tenures and redress imbalances in the housing market. These aims underlie the Council's Housing Strategy which is revised as necessary to reflect monitoring of the provision and need for affordable housing. District Housing Needs Surveys and the Council's Housing Strategy are available at the Council Offices and on the Council's website (www.westoxon.gov.uk)

3 Affordable Housing Requirements

Qualifying Sites (Thresholds)

- 3.1. In accordance with Policy H1 I, affordable housing will be sought on sites specifically allocated for housing in the Local Plan. Affordable housing will also be sought on windfall sites that come forward: on developments of 15 or more dwellings (or sites with a net developable area of 0.5 ha) in Witney, Carterton, Chipping Norton and Eynsham and on developments of two or more dwellings elsewhere. Where redevelopment is involved, the threshold will relate to the net increase in dwellings on the site.
- 3.2. The policy will be applied to all types of development where dwellings are proposed including retirement homes, Extra Care housing and sheltered housing but will not apply to institutions providing residential accommodation with care to people in need of such care such as nursing homes.
- 3.3. Where a housing proposal artificially minimises the number of dwellings or the site area to circumvent Policy H1 I, planning permission may be refused on the basis that no provision is made for affordable housing. In addition, the proposal will be scrutinised for its acceptability against other Local Plan policies and considerations to ensure in particular that it makes the most effective use of land and deals with development in a comprehensive manner.

Number of Affordable Homes

- 3.4. In response to the high level of local housing need and subject to development viability, the Council will, when applying Policy H1 I, seek 50% affordable housing on all qualifying sites except for sites in Witney and Carterton which are allocated for housing in the Local Plan. On those allocated sites 30% affordable housing will be sought. Lower levels of provision on any site will be accepted where it is demonstrated that full provision would render a development unviable (see paragraphs 3.26 – 3.30). The need to assess constraints on a site by site basis is recognised in the District-wide Policy H1 I through the use of the phrase 'up to 50%' provision. Whereas 50% affordable housing is likely to be deliverable on greenfield land, the Council accepts it may not be viable on smaller sites with high existing use value.

Size and Mix of Affordable Homes

- 3.5. The size and mix of affordable homes in terms of the number of bedrooms and flats/family houses should reflect the local need. The most up-to-date information on local need can be found in the latest Housing Needs Survey and in the Council's Housing Register, which records applications for both rented and intermediate affordable homes. However, Annex 2, which will be updated annually, gives a guide to the need by number of bedrooms for the District as a whole. A general emphasis upon provision of one bedroom flats when offering affordable homes is unlikely to meet the full range of local need and may not be considered to be a sustainable form of housing in the West Oxfordshire context. Affordable homes should be at least as large as market homes on the site with the same number of bedrooms. Minimum floor space requirements will apply to affordable homes in some circumstances, e.g. where the homes are to be transferred to the ownership of RSLs.
- 3.6. The form of housing will also need to respect the character of the area and on developments of 6 or more dwellings should include an overall mix of dwelling sizes and types in accordance with Policy H3 of the Local Plan and any approved planning brief for the site.

Standards and Design

- 3.7. Design standards for affordable housing should be no lower than for market housing and the affordable housing should not be distinguishable by its external appearance. Homes that are to be transferred to the ownership of RSLs will need to satisfy any specific requirements for that form of affordable housing. Further details are available from Housing Services. The West Oxfordshire Design Guide (adopted September 2006) contains more detailed guidance applicable to both market and affordable homes.

Timing of Provision

3.8. Affordable housing should generally be provided at the same time as open market housing on a site. On large developments, where the cost of providing infrastructure may be substantial, the Council may permit the sale of a certain percentage of market properties before the sale or transfer of affordable housing with the remainder being sold or transferred in tranches with the market housing. However, no development should take place until the affordable housing scheme has been approved and, if a RSL is involved, a contract has been entered into with the RSL and evidence provided to the Council of that contract.

Occupancy

3.9. Affordable housing should always be offered in accordance with the Council's nominations policy which prioritises households who are living in unsuitable or insecure accommodation, and newly forming households who have a local connection with West Oxfordshire and who cannot afford to buy or rent housing of a suitable size on the open market in the District. The Council will wish to be satisfied that the occupancy criteria will be met and will require a Nominations Agreement to be in place with the RSL or affordable housing provider prior to commencement on site.

Tenure

3.10. Affordable housing can be rented, owned with a discount in perpetuity or shared ownership (New Build Homebuy) but in all cases will require a significant subsidy to make it affordable. Housing Needs Surveys (see Annex 2) have demonstrated that the majority of households in need of affordable housing will only be able to afford to rent. The priority will therefore be the provision of rented housing (at Target Rent levels) through involvement of a RSL. However, subject to there being an identified need, shared ownership and discount market housing will be acceptable.

Delivery Mechanisms

- 3.11. Although the greatest overall need is for affordable housing to rent, there is a particular need for intermediate housing to widen housing choice in the smaller towns and villages of the District. There is also a need to simplify mechanisms for the provision of affordable housing on small windfall sites. Different delivery mechanisms will therefore generally be used for developments of less than 15 dwellings (normally windfall sites) and for 15 or more dwellings (windfall and allocated sites).
- 3.12. The Council wishes to ensure that any Registered Social Landlord is acceptable in terms of criteria adopted in accordance with the Council's Housing Strategy. Developers are encouraged to work with one or more of the Council's Preferred Partner RSLs which have demonstrated that they can meet all of the Council's requirements including the ability to secure both public and private finance. Any other affordable housing provider including any developer must be able to demonstrate that it can meet the specified criteria.

Developments of fewer than 15 dwellings

- 3.13. Affordable housing on small sites may be achieved through the provision of discount market housing as well as through the provision of homes for rent. The developer/owner has two options:
- to sell to eligible persons in need of affordable housing in accordance with a scheme agreed with the Council which will require that subsequent re-sales will be on the same basis to ensure that the housing remains available to meet the need for affordable housing, or
 - to sell to an RSL with a view to the provision of rented housing.
- 3.14. To ensure affordability, a substantial discount (in the order of 50%) on market prices will be needed. The discount, which will be assessed using the method set out in Annex 3, will be reviewed annually in line with market trends and experience to ensure that properties are

affordable by households in identified housing need. Generally on these smaller rural sites, two bedroom houses should be provided, with occasionally three bedroom houses in response to specific identified needs.

- 3.15. Where developments are for an odd number of dwellings (3, 5, 7 etc) a financial contribution will also be sought on the basis set out in paragraphs 3.22 and 3.23.

Developments of 15 or more dwellings

- 3.16. On larger sites (both allocations and windfalls) the Council will seek the transfer of completed dwellings to an RSL to be made available at affordable rents or for shared ownership. The transfer of free serviced land, together with a commuted sum calculated on the basis of the current cost to the developer of meeting the affordable housing requirement on-site (so representing the equivalent cost of building completed units) may however be acceptable as an alternative particularly on large developments.
- 3.17. Social rented housing will form the majority (about 70%) of this housing because most households in need of affordable housing will be unable to afford shared ownership or discount market housing options.
- 3.18. Shared ownership is welcomed in principle by the Council. To be acceptable, provision should be made for initial shares and rents to be affordable to those in housing need. Please see Annex 3 for further guidance.
- 3.19. Housing will need to be transferred to an RSL at a price that the RSL can pay as a capital sum financed by rents paid by tenants and by mortgage payments in the case of shared ownership. The amount payable will depend on the level of rent, which will reflect the size of the property and its location, and whether the property is rented or in shared ownership. Annex 3 provides guidance on the general level of payments which the RSL will be able to make to a developer for completed housing where public funding is not available. The tables in Annex 3 will be updated annually to reflect changes in incomes, house prices, rents and interest rates.

- 3.20. A small percentage of discount market housing will be acceptable in principle on large sites. Please refer to paragraph 3.14 and Annex 3 regarding the level of discount that will need to be provided.

Off-Site Provision/Financial Contributions

- 3.21. Normally the District Council will expect to secure affordable housing provision on site where open market housing is proposed. This is because of the difficulty of finding other sites on which to build, because of the delay generally associated with off-site provision and in the interests of securing balanced communities. However, in limited circumstances the District Council may accept that provision would be better on another site. In such cases, the Council will expect the developer to provide the affordable housing on a different site in accordance with a programme to be agreed between the developer and Council or to make a financial contribution to the Council for provision elsewhere. Circumstances where a financial contribution may be appropriate would be building conversions or specialist developments.
- 3.22. Where application of the quota to the total number of units results in a fraction of a unit, a contribution equating to that fraction of the contribution for a whole unit will be required.
- 3.23. The level of financial contribution will be kept under review by the Council, but will be broadly determined by taking into account the current cost to developers of meeting the affordable housing requirement on-site. A contribution in place of on-site affordable housing should be equivalent (per dwelling) to the developer subsidy for on-site provision as set out in Annex 3.
- 3.24. Commuted sums received by the Council will be kept in an 'enabling fund' and used to fund affordable housing elsewhere in the District.
- 3.25. Where the provision of a commuted sum has been agreed, this sum should be paid in total prior to commencement of development unless otherwise agreed with the Council under the terms of the legal agreement.

Viability

3.26. The provision of affordable housing will affect the value of land for residential development but will not generally render it uneconomic. However there will be some cases, particularly if existing use values are high or substantial remedial or infrastructure works are necessary, where lower provision of affordable housing may be justified.

3.27. The Council has no intention of making new development unviable but there will be a presumption that development will include full and appropriate provision for affordable housing unless it is demonstrated that it cannot do so. The onus is therefore on a developer to demonstrate that viability would be jeopardised. This will require a full economic appraisal of the costs of development and of returns from the sale of housing to show what sum (if any) could be made available for affordable housing. The appraisal should be presented on a residual land value basis taking into account all the costs of development including contributions to local infrastructure and services, the provision of affordable housing and the profit margin required by the developer. It should also include a valuation of the site in its existing use, not its purchase price or hope value. The appraisal should accompany the planning application or preferably form part of pre-application negotiations.

3.28. Where the Council needs independent advice to validate a viability appraisal, the Council will expect reasonable costs to be borne by the developer. The confidentiality of the detailed figures in the appraisal will be respected but the conclusions will need to be reported to the Council and will be made public.

3.29. Where the Council is satisfied that viability would be jeopardised by full provision of affordable housing and taking into account any other planning contributions, it will consider supporting external subsidy to allow full provision on the site. Alternatively, consideration will be given to altering the mix of housing including size and tenure of units and to allowing financial contributions where provision of a whole unit could not be made. The number

of affordable dwellings sought will be reduced if these measures are insufficient to make the development viable.

3.30. Applicants should not assume that public subsidy will be available when assessing viability and purchasing a site.

Section 106 Agreements

3.31. The Council will generally expect affordable housing provision to be secured by a Section 106 Agreement. In very limited circumstances, the Council may use a planning condition. Examples of a planning condition and of standard Heads of Terms to cover a range of options are set out in Annex 4.

3.32. A 'mortgagee-in-possession' clause will only be acceptable where a RSL is involved and subject to a requirement that the mortgagee actively seeks to dispose of properties to another RSL approved by the Council.

3.33. The Heads of Terms of any Agreement will need to be established before determination of a planning application. The Council will expect the developer to fund the cost of the Agreement and the costs of any transfer of land to the Council as well as to pay a contribution towards the costs of monitoring compliance. The Agreement will need to be completed before any planning permission is issued.

4 Monitoring & Review

- 4.1 The Council will monitor the provision of affordable housing and the effectiveness of planning policy, in conjunction with the annual review of local housing need and as part the Annual Monitoring Report submitted to Government. Information will be available on the Council's website www.westoxon.gov.uk

West Oxfordshire Local Plan 2011

Policy H11 - Affordable housing on allocated and previously unidentified sites.

Taking into account the housing needs of the area and subject to any site specific constraints, an element of affordable housing will be sought as part of residential development schemes on the following basis:

- a) on land allocated in this plan for residential development or mixed uses including housing; 30% on sites in the towns of Witney and Carterton and up to 50% in the remainder of the District;
- b) on unallocated land, which comes forward in accordance with the locational policies of this plan, up to 50% affordable housing will be sought where:
 - i) the site is in Witney, Carterton, Chipping Norton or Eynsham and has an area of 0.5 ha or greater or when 15 or more dwellings are proposed; or
 - ii) elsewhere, when a development of 2 or more dwellings is proposed.

Annex 2 - Affordable Housing Needs

Introduction

The Council's assessment of affordable housing needs is based on

- The findings of the District Housing Needs Survey carried out by DCA in June 2002, updated in 2004. This was publicly scrutinised at the Local Plan Public Inquiry in 2004.
- The results of parish housing surveys carried out in the last 3 years.
- An analysis of the Common Waiting List administered by the District Council which contains applications for both rented and intermediate housing and includes transfer applications.

This information will be kept under review through Strategic Housing Market Assessments and further surveys.

On any specific site, the proportion of different tenures and unit types needed will vary according to the nature of housing need in the locality, the turnover in the existing affordable housing stock and likely future provision to meet need on other sites in the locality.

Tenure and affordability

From evidence of local incomes and of house prices and rents, the 2004 Housing Needs update recommended that at least 70% of overall provision of new affordable housing should be social rented with no more than 30% being shared ownership and discount market housing.

Type and size of units

The following suggested percentages and proportionate splits (contained in brackets) are a starting point only and it is recommended that early contact is made with Housing Services to establish the exact requirements that may be applicable.

In the main service centres of Witney, Carterton and Chipping Norton, the need in broad terms is for:

- 40% family homes, principally two and three bedroom houses (split 1:1) in Witney and Carterton and (2:3) in Chipping Norton.

- 15% suitable for older persons or persons with a disability, predominantly two bedroom flats or two bedroom bungalows. Where it is not possible to provide accommodation for these clients groups, say for example due to site constraints, then the balance of these properties will become family homes as defined above. In some circumstances, it may be appropriate to provide some units for low cost sale to older persons instead of at target rents through a housing association.
- 45% suitable for single persons/couples below retirement age without children, since this group comprises over 45% of applicants on the waiting list and forms the largest group of predicted newly forming households. Accommodation should comprise a mix of one and two bed flats and 2 bed houses. (split 2:1:1)

In respect of sites outside main service centres, the actual requirement on any particular site will be informed by the results of any Parish Needs Survey that may have been carried out and information contained on the Common Waiting List. Information in respect of a particular parish can be obtained from Housing Services.

The Oxfordshire Keyworker Housing Needs Survey 2004 concluded that affordability is an issue for keyworkers but that their needs can be met by nomination to affordable accommodation generally.

All proposals for affordable housing should demonstrate how environmental sustainability is addressed, taking into account the Government's objective of a zero carbon future and its Code for Sustainable Homes. All affordable housing to be managed by an RSL should meet Lifetime Home Standards but from time to time, the need to provide a bespoke unit or units of accommodation for the mobility impaired will arise. This is most likely in Witney, Carterton and Chipping Norton, where one or two units suitable for occupation for a wheelchair user will be needed. A need for bespoke accommodation with support has been identified for older persons and adults with learning disabilities. Housing Services will advise on whether a particular site is likely to be considered to be suitable for the provision of such accommodation.

New homes to be conveyed to a RSL should meet the needs of that RSL. The following table shows the current minimum floor areas applicable to each dwelling type. Housing Services can assist with further detailed information.

House Type	Size	Occupants	Net internal floor area m ²
Flat	1 Bed	2 Person	45
	2 Bed	3 Person	61
Bungalow	2 Bed	2/3 Person	61
House	2 Bed	4 Person	77
	3 Bed	5 Person	88
	4 Bed	6 Person	98

Annex 3 - Payments for Transferred & Discount Market Housing

Financial Contributions

Rented Housing (RSL)

The price of housing varies across the District but generally falls within one of three bands as follows:

A (lower) - including Carterton, Chipping Norton and Enstone.

B (average) - including Witney, Bampton, Long Hanborough, Charlbury and the Wychwoods.

C (higher) - including Burford, Eynsham and Woodstock.

This classification is based upon a report prepared by DTZ. Housing Services should be contacted for more information on specific parishes.

Partner RSLs have assessed the price that they can pay for different affordable house types and sizes in each price band. This is based on the Government's regime of 'target rents' which are considered to be affordable. They are based on local incomes and house prices and are used in housing needs surveys.

The payment for rented units will be equal to the residual amount that RSLs can raise against local target rents for each house type in each price band area. The payments will be increased by Retail Price Index plus 0.5% each year and appended to this SPD at the same time. Table A illustrates the payments based upon the model adopted by the Council and upon Housing Corporation Target Rents for the District during 2007/8. This will be taken as the baseline year for the payments based method of housing procurement.

TABLE A - a guide to prices that the RSLs are likely to pay

	Size m ² (net internal floor area)	Payment for 2007/2008 by RSL		
		Lower Value Area A £	Lower Value Area B £	Lower Value Area C £
1 Bed Flat	45	45,500	51,000	53,000
2 Bed Flat	61	55,000	59,500	61,750
2 Bed Bungalow	61	62,500	65,600	68,100
2 Bed House	77	59,600	62,700	66,100
3 Bed House	88	69,900	72,100	75,400
4 Bed house	98	75,000	78,800	82,200

Table A will be updated annually and is valid to the end of March 2008.

Intermediate Housing

In order to address the very real issue regarding affordability in West Oxfordshire, different intermediate housing (shared ownership and discount market housing) products should all be provided at the same overall cost to the occupier.

Shared Ownership (New Build Homebuy)

Initial sales of shared ownership property need to be set at the entry level of 40% equity, with shares available for purchase within a range up to 70% to reflect the range of likely household income levels of eligible purchasers. The residual rent should be in the region of 1% of unsold equity. This approach is the only way of ensuring that the housing product remains affordable to those in housing need in West Oxfordshire for the foreseeable future.

Discount Market Housing

Table B below shows how the discount on market price has been calculated based on prices at the beginning of 2007 in the average priced area of Witney (source: Rightmove). It is derived from the income ('threshold income') that a household would need to be able to afford the cheapest form of open market housing available in that area (i.e. private housing for rent). This can be converted into the price which can be paid for a property funded by a mortgage. By comparison with the market price the percentage discount can be derived. It should be noted that, as this discounted price represents the equivalent cost of the cheapest open market housing, only prices below that figure will be regarded as affordable. The percentage discount on the new build market value of the property will form the basis on which the property will be resold.

TABLE B – example of method for calculation of discount

1	Unit type (Witney area)	2BH
2	Local Market Rent pcm	£650
3	Annual income threshold to be able to afford rental level in row 2 (entry level)*	£32,500
4	Affordable income (row 3 x 3 mortgage multiplier)	£97,500
5	New build value as available	£190,995**
6	Potential discount required (row 5 minus row 4)	£93,495
7	Discount percentage of open market value	49%
8	Price payable by occupier 2007 (equivalent to row 4)	£97,500

*Rent equivalent to 30% of disposable income.

** 2 bed terraced house at Madley Park, Witney (Jan 2007)

In the year to 31 March 2008, the Council will seek a 50% discount on market prices across the District.

Financial Contributions

Serviced Plot and Financial Contributions

Where sites with all services and access to the site boundary are to be provided instead of the transfer of completed units, a commuted sum will also be required towards the cost of constructing affordable housing of the agreed mix. The contribution will be based on the cost of construction less what the RSL can pay for the different tenure types.

Contributions in Lieu of On Site Provision

The contributions (commuted sums) will be calculated on the basis of the equivalent contribution to on-site provision.

For development that would have involved an RSL the commuted sums will be based on the full open market value of the agreed total of units less the payments which would have been made for the agreed tenure mix by the RSL for rented and shared ownership properties.

Contributions agreed in lieu of provision of discount market housing will be broadly equivalent to the sum of the appropriate discounts (see Table B and below) applicable to the full open market value of the housing to be discounted. Such commuted sums are more likely to arise from smaller windfall sites that come forward from time to time. The following example for a site of 4 units in total (net) shows how the calculation would apply in lieu of discount market units comprising one 2 bed unit valued at £200,000 and one 3 bed unit valued at £250,000:

Total market value of £450,000 x appropriate discount (say 50%) results in a contribution of £225,000 in lieu of on-site provision.

Proportionate contributions will be sought in respect of fractions of a unit. Smaller contributions will be accepted where it is demonstrated that viability would otherwise be jeopardised.

Annex 4 - Standard Heads of Terms for S106 Agreements/Condition

Rented and Shared Ownership (outline application)

1. Development not to commence before an affordable housing scheme has been approved by the District Council and the developer has entered into a contract with an approved RSL to deliver scheme.
 2. Affordable Housing scheme to comprise
 - a. () % of total dwellings on site shall be affordable housing which will be transferred to the ownership of a RSL.
 - b. () % of affordable units to be family homes, principally two and three bedroom houses with limited four bedroom provision
 - c. () % of affordable units to be one or two bedroom units
 - d. () % for rent at target rent
 - e. () % shared ownership at () % of equity and () % residual rent
 - f. All affordable units to meet current scheme development standards, such as secure by design, Code for Sustainable Homes level at least 3 and Joseph Rowntree lifetime home standards etc.
 3. Affordable housing scheme to be submitted and land required for scheme agreed as part of first reserved matters/detailed application
 4. Land identified for affordable housing to be used solely for that purpose.
 5. Developer not to permit more than (x) private dwellings to be occupied before (y%) of affordable dwellings complete and in possession of RSL.
 6. Developer not to permit more than (a) private dwellings to be occupied before (b%) of affordable dwellings complete and in possession of RSL. (for phased larger schemes)
- NB This Heads of Terms can be amended (clause 2) to reflect 100% rented or 100% shared ownership schemes

Discount Market Housing

1. Affordable housing scheme to be submitted and land required for scheme agreed as part of first reserved matters/detailed application (or as defined in application if initial detailed application)
2. Land defined for affordable housing to be used solely for that purpose
3. Development not to commence before the affordable housing scheme has been approved by the District Council.
4. Developer not to permit private dwellings (plots w-x) to be occupied before affordable housing (plots a-b) complete.
5. Developer not to permit private dwellings (plots y-z) to be occupied before affordable housing (plots c-d) complete. (for phased larger schemes)
6. Affordable Housing Scheme to comprise:
 - a. (x/x%) of total dwellings on site to be affordable housing in the form of discounted market housing. (outline application)
 - b. initial sale not to exceed () % of market value and all subsequent sales of DMH not to exceed () % of market value.
 - c. units for sale (and subsequent resale) to a RSL or to persons nominated by District Council in accordance with 7 below.
 - d. () % of affordable units to be family homes principally two and three bedroom houses with limited four bedroom provision. (outline application for development of 15 or more dwellings)
 - e. () % of affordable units to be one or two bedroom units. (outline application for development of 15 or more dwellings)
 - f. () affordable units to be two bedroom houses with some three bedroom provision in response to specific identified need. (outline application for development of up to 15 dwellings).
7. All initial and subsequent sales to be in accordance with the District Council 'Terms for Sale of Discount Market Housing' scheme.

Land Agreement and Contribution (outline application)

1. (x) hectares/x% of net developable land to be transferred to WODC or RSL nominated by WODC at (nil) land value with (x) financial contribution.
2. No development to commence until
 - Affordable housing land area has been identified and agreed with District Council
 - Soil and contamination survey has been carried out and any necessary remedial works agreed with District Council (Optional clause depending on site characteristics).
3. No occupation of any dwelling until
 - Agreed remedial works carried out and verified (as above)
 - Affordable Housing land cleared of all buildings, levelled and made into fit state for development. (as above)
 - Affordable housing land has been fully serviced and access provided to appropriate boundaries
 - Affordable housing land transferred to District Council or nominated RSL with contribution.

Financial Contribution

1. To pay to WODC an affordable housing contribution of £x (index linked) in lieu of on site provision
 2. District Council to use contributions solely for provision of affordable housing within 10 years
 3. District Council to repay contribution if not expended within 10 years
 4. No development to commence on site prior to payment of contribution
- NB Phased payments may be more appropriate on larger sites.

Planning Condition (instead of SI06 Agreement)

No development shall take place until details of arrangements to ensure that at least (insert number) units of affordable housing are provided within the development have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) the number, type and location on the site of the affordable housing provision to be made;
- b) the timing of the construction of the affordable housing;
- c) the arrangements to ensure that the affordable housing is affordable for both its initial and its subsequent occupants;
- d) the occupancy criteria to be used for determining the identity of prospective and successive occupants of the affordable housing, and the means by which such occupancy criteria shall be enforced.

Development shall be carried out in accordance with the approved details.

Annex 5 - Useful contacts

West Oxfordshire District Council

Elmfield
New Yatt Road
Witney
Oxon OX28 1PB
Web: www.westoxon.gov.uk

Head of Housing Services - for information on housing need, RSLs, costs and type of affordable housing etc.

Housing: 01993 861010:
Email: housing@westoxon.gov.uk

Planning Policy Manager - for general planning policy advice

Area Planning Manager (Development Control) - for site specific advice

Planning: 01993 861420
Email: planning@westoxon.gov.uk

Registered Social Landlords (Housing Associations)

Cottsway Housing Association
Web: www.cottsway.co.uk
Tel: 01993 890000
Email: contact@cottsway.co.uk

Oxford Citizens Housing Association
Web: www.ocha.org.uk
Tel: 01865 773000
Email: info@ocha.org.uk

Sovereign Housing Group
Web: www.sovereign.org.uk
Tel: 01635 550222
Email: webmaster@sovereign.org.uk

Home Housing Association
Web: www.homegroup.org.uk
Tel: 0118 9777 604
Email: home@homegroup.org.uk

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.

Development Plan Document

A type of Local Development Document. It is subject to independent testing by the Planning Inspectorate and has the weight of development plan status when adopted.

Discount market housing

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

Intermediate housing

Affordable housing which is wholly or partly owned by the occupier but acquired at below full market price. Shared ownership (New Build Homebuy) and discount market housing are types of intermediate housing.

Local Development Documents

Documents which collectively set out the spatial planning strategy for a local planning authority's area. They are of two types: Development Plan Documents and Supplementary Planning Documents.

Mortgagee-in-Possession

Clauses in legal documents which would enable lenders of private finance to dispose of property on the open market as a last resort if a borrower were to get into financial difficulties.

New Build Homebuy

Shared ownership of newly built properties.

Nominations agreement

An agreement between the Council and the provider of affordable housing which allows the Council to nominate occupiers of affordable housing.

Partner RSLs

Housing associations selected by the Council in liaison with the Housing Corporation, for their ability to develop schemes on time and to budget, to work with developers to maximise affordable housing, and which have a track record of securing public subsidy (where required) and have been assessed as good service providers by both the Housing Corporation and the Council.

Registered Social Landlord (RSL)

An organisation, usually a housing association, which is registered by the Housing Corporation to provide affordable housing.

Shared ownership

Affordable housing which is part owned by the occupier who also pays rent to the owner of the remainder of the property, usually a RSL.

Social rented

Affordable housing in which the occupier rents the property at below market rents usually from a RSL.

Supplementary Planning Document (SPD)

A document that supplements and elaborates policies and proposals in development plan documents.

Target rents

Rents based on a national Government system based on local incomes and house prices.

Windfall sites

Sites not specifically identified in the Local Plan but which come forward in accordance with the locational policies H5 – H10 in the form of infilling and rounding-off within existing built-up areas or the conversion or sub-division of existing buildings.

West Oxfordshire District Council

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New Yatt Road

Witney

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Tel: 01993 861000

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