



**CORNWALL
COUNCIL**
one and all • onen hag oll

Housing

Supplementary Planning Document *Adoption Consultation*

April 2019



www.cornwall.gov.uk



Contents

FOREWORD	4
CONSULTATION	4
INTRODUCTION	5
POLICY CONTEXT	5
<i>National Planning Policy Framework</i>	5
<i>Cornwall Local Plan – Strategic Policies</i>	5
AFFORDABLE HOUSING PRODUCTS	6
RENTED HOMES OWNED OR MANAGED AS AFFORDABLE HOUSING	7
<i>Affordable rented housing</i>	7
<i>Social rented housing</i>	7
INTERMEDIATE HOUSING	8
<i>Shared Ownership</i>	8
<i>Discounted ownership</i>	9
<i>Shared equity</i>	10
<i>Starter Homes</i>	11
<i>Rent to buy</i>	11
LIVING RENT	12
PLANNING OBLIGATION THRESHOLDS	12
TYPES OF DEVELOPMENT SUBJECT TO AFFORDABLE HOUSING OBLIGATIONS	13
VACANT BUILDING CREDIT.....	14
ROUNDING UP THE AFFORDABLE HOUSING PROVISION.....	14
REMOVAL OF HOLIDAY USE CONDITIONS	14
AFFORDABLE HOUSING-LED SCHEMES AND MAIN TOWNS.....	14
DEFINING LOCAL NEED.....	14
CONTEXT.....	14
METHODOLOGY	15
CLUSTER PARISH APPROACH.....	16
AFFORDABLE HOUSING DESIGN	16
MIX, SIZE AND ACCESSIBILITY STANDARDS	16
DESIGN AND DISTRIBUTION OF AFFORDABLE HOUSING	18
LEASEHOLD AND GROUND RENTS.....	19
PHASING	20
VIABILITY ASSESSMENTS.....	20
OFF-SITE CONTRIBUTIONS	22
OFF-SITE CONTRIBUTION TARIFF	22
SECURING AND INVESTING OFF-SITE CONTRIBUTIONS.....	23
RURAL EXCEPTION SITES	24
SCALE	24
AFFORDABLE HOUSING-LED.....	25

OUTLINE PLANNING APPLICATIONS	26
ENTRY LEVEL EXCEPTION SITES	27
SPECIALIST HOUSING	28
EXTRA CARE	29
<i>Extra care accommodation</i>	30
<i>Space standards</i>	31
SUPPORTED LIVING	32
DEMENTIA-FRIENDLY HOUSING	32
HOUSING WITHOUT CARE	32
RESIDENTIAL CARE	33
CATEGORY 3 WHEELCHAIR USER HOMES	33
SELF AND CUSTOM-BUILD	34
SELF-BUILD AND AFFORDABLE HOUSING	34
GENERAL PRINCIPLES FOR SELF-BUILD PROPOSALS	36
SELF-BUILD AND COMMUNITY INFRASTRUCTURE LEVY	36
SELF-BUILD REGISTER	36
APPENDIX 1	38
DISCOUNTED HOMES FOR SALE – DISCOUNT PERCENTAGES METHODOLOGY	38
APPENDIX 2	40
OFF-SITE CONTRIBUTION TARIFF	40
ENABLING ACTIVITY FEE	41
<i>General enabling levy</i>	42
APPENDIX 3	43
LOCAL CONNECTION CRITERIA	43
APPENDIX 4	44
EXTRA CARE SPACE STANDARD	44
GLOSSARY	45
USEFUL LINKS	48

Foreword

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

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

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

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

Consultation

The consultation seeks views on the content of the final Housing SPD prior to its adoption. The consultation starts on Monday 8th April 2019 and closes at 5pm on Monday 6th May 2019.

The consultation can be viewed:

- Online at <https://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/adopted-plans/planning-policy-guidance/housing-supplementary-planning-document/>
- At Cornwall Council main offices.

Responses to this consultation should be submitted using the representation form available online at

<https://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/adopted-plans/planning-policy-guidance/housing-supplementary-planning-document/>, completed response forms should be returned by email or post using the details on the form.

Introduction

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

Policy context

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

National Planning Policy Framework

4. Government policy for the delivery of housing is set out in the National Planning Policy Framework (NPPF). The NPPF was published in July 2018. In relation to the delivery of homes the NPPF focuses on:
 - promoting high quality design of new homes and places;
 - stronger protection for the environment;
 - building the right number of homes in the right places;
 - greater responsibility and accountability for housing delivery from councils and developers.

Cornwall Local Plan – Strategic Policies

5. The adopted Strategic Policies of the Cornwall Local Plan¹ contains a number of policies to ensure our housing market is appropriate to meet the needs of the community. The Local Plan seeks to address Cornwall's whole market need through the delivery of minimum of 52,500 new homes by 2030 (Policy 2a).
6. In addition, there are a number of policies in the Plan that guide the development of new homes, specifically affordable and specialist housing, these are:

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

Policy 6: Housing mix – states that new housing developments of 10 or more dwellings should include an appropriate mix of house size, type, price and tenure to address identified needs and demands including self-build and custom-build. The policy also makes reference to

¹ www.cornwall.gov.uk/localplancornwall

responding to the requirements of a changing population by increasing the supply of accessible specialist housing and extra care housing (where demand exists).

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

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

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

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

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

Affordable housing products

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

Rented homes owned or managed as affordable housing

11. Affordable housing for rent must meet the NPPF definition and meet all of the following conditions:
- (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent;
 - (b) the landlord is a registered provider²;
 - (c) it includes provisions to remain at an affordable price for future eligible households (i.e. it is secured as affordable in perpetuity), or for the subsidy to be recycled for alternative affordable housing provision; and
 - (d) appropriate local connection and nomination rights are granted to the Council via a suitable planning obligation.

Affordable rented housing

12. Affordable rented housing is owned and rented by Registered Providers, who need to be registered with Homes England. These homes should be rented out to households who are eligible for social rented housing. Rents (including service charges where applicable) are capped in perpetuity at up to 80% of open market rent or the published Local Housing Allowance (LHA)³ for the relevant property type (whichever is the lower).

Social rented housing

13. Social rented housing is generally owned and/or managed by local authorities or Registered Providers, for which 'Target Rents' are determined through the national rent regime. Social rents are defined in Section 80 of the Housing and Regeneration Act 2008 and are typically lower than affordable rents.
14. Social rent is supported by the Council as it offers tenants a secure form of housing at a genuinely affordable price. Although the rent will vary depending upon location and house type. Typical rents are equivalent to 45-55% of open market rents. This is important for ensuring the long-term affordability of housing to local people on low wages. The homes are secured as affordable homes in perpetuity.
15. Whilst a valuable product in terms of the benefit it provides to tenants, such accommodation can impact on the economic viability of a scheme (as the capital value generated from the rental income is lower than other rented affordable housing). However, the Council is seeking to encourage new social rented housing on certain sites.

² Except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider)

³ The Valuation Office Agency (VOA) is responsible for calculating the LHA for Cornwall. They consider the rents charged on different property sizes and types throughout Cornwall and calculate the amount of support that would be required to sustain such homes. To check the Local Housing Allowance visit <http://lha-direct.voa.gov.uk/search.aspx>

Intermediate housing

Shared Ownership

16. Shared ownership enables households an opportunity to purchase a share in a home with a mortgage, whilst paying a rent on the remaining unowned share. Shared ownership is a common form of new affordable housing for sale, as it is widely supported by the main mortgage lenders.
17. Shared ownership may be provided by either Registered Providers or the Local Authority. An initial share (usually between 25% and 75%) is bought and then rent is paid to the Registered Provider or Local Authority on the remaining part. Due to the comparatively high house prices in Cornwall, the maximum amount of rent that may be charged over a 12 month period, on the unowned share is restricted to 2.5% of the value of the unowned share. Shared ownership homes are sold strictly on the basis of one of Homes England's standard model lease⁴.
18. To ensure affordability, the Council will 'sense check' the total monthly costs (mortgage payment and rent) which should always be significantly less than renting or purchasing a similar home on the open market. Where the Council is not satisfied that the product will be affordable, for example where values and/or the required rent is too high, the product will not be supported.
19. In many cases, the option exists for purchasers to purchase additional shares of equity in the property when they can afford to, meaning that they have the ability to eventually own 100% of the freehold (called "staircasing").
20. Shared ownership homes must be provided in perpetuity when provided on rural exception sites or where public grant funding is provided. Where required to be retained in perpetuity, in the event that an owner purchases 100% of the property and the home effectively becomes an open market home, the 'developer subsidy' proportion of any receipt must be recycled into other affordable housing in Cornwall. Therefore a proportion of any 100% "staircasing" receipt) must be returned to the Council (or retained by agreement by the partner Registered Provider) for recycling into another approved affordable housing scheme elsewhere in Cornwall.
21. On sites within Designated Protected Areas however, there is a requirement for such homes to remain as affordable homes in perpetuity and not be lost to the open market. Where this applies, typically either the lease will restrict the maximum share that can be owned at 80%; or it will allow the Registered Provider to sell 100% of the home to the current occupiers but with an obligation on the Registered Provider to buy the property back on a future resale. The property then is to be re-sold as if it was a 'new' shared ownership

⁴ <https://www.gov.uk/guidance/capital-funding-guide/1-help-to-buy-shared-ownership>

home to another local household with an initial share of between 25% and 75% (i.e. at the bottom of the 'staircase' again).

22. Shared ownership homes are common in Cornwall and are the Council's preferred delivery vehicle for affordable housing for sale. In general the Council will seek to ensure that shared ownership homes are provided as 2 and 3-bedroom houses, with a small number of 4-bedroom houses where there is sufficient evidence of local need, and affordability. One-bedroom homes may also be provided, particularly where this is single storey. There can be difficulties associated with securing a mortgage on a shared ownership home for a leasehold flat. Therefore the Council will not generally encourage shared ownership flats, unless justification can be made (with the exception of extra care flats).

Discounted ownership

23. Discounted market sale or intermediate sale homes have been provided in large numbers in Cornwall over the last 10-15 years. The model is relatively simple in that a new property is sold by the developer at a fixed discount from market value to make it more affordable to local people. The fixed discount must remain on future re-sales in perpetuity.
24. Discounted market sale homes will be sold for prices based on the guideline discount percentage for the relevant value zone or the local purchasing power and target price, **whichever is the lower**. Guideline discount percentages and target sales prices for each of the five 'value zones'⁵ are provided in Appendix 1.
25. The discount percentages have been set following a comprehensive assessment of local sales values in combination with the average 'purchasing power' of a typical household based on an assessment of local incomes. Discounts are therefore based on the varying house prices in each zone and the average purchasing power for Cornwall. As the variables change over time and need to be refreshed periodically, the figures and methodology are set out in Appendix 1.
26. It is important to note that where the guideline discount percentage results in a price which the Council considers to be unaffordable, additional price reduction will be required based on local purchasing power and target sale prices (whichever is the lower). Where the Council does not consider that the discounted price will be affordable based on local purchasing power the product will not be supported and the tenure should be switched to an alternative product, for example Shared Ownership.
27. Discount percentages from open market values will be set in S106 legal agreements rather than fixed prices.

⁵ The Local Plan's Strategic Viability Assessment sets five 'Value Zones' across Cornwall, which have been defined based on their comparative affordability (due to the size and nature of Cornwall's geography and variable housing markets). These are provided in list and map form in the Local Plan.

28. It is encouraged that the level of discount necessary to ensure affordability is considered at the early stage. Advice can be sought at the pre-application stage.
29. The Council will typically only encourage discounted ownership homes as 2 and 3 bed houses as these are the most required type. Four bed houses are unlikely to be supported in value zones 1 and 2 and in some cases value zone 3; as even with large discounts these will often not be affordable. Any discount market sale flats, in particular one bedroom flats, are unlikely to be supported, as they are the least flexible housing type. Full details are provided in Appendix 1.
30. Where the Council is concerned about the future affordability of homes by the stage they are built and valued, it may make provision in the s106 legal agreement to switch to an alternative product, at the Council's discretion, which it considers to be more affordable at the time that the homes will be sold.
31. The Council will generally support the provision of an element of discounted market sale housing where the need can be evidenced. However, significant numbers of discounted sale properties on a single site are unlikely to be supported because there are fewer mortgage lenders in the market for such properties, and they typically only lend on a proportion of new homes in any one area.

Shared equity

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

Starter Homes

36. Starter homes were introduced, in principle, through the Housing and Planning Act 2016 and are recognised in the NPPF as a form of affordable housing. The Act states that starter homes are dwellings available to purchase by qualifying first-time buyers at a discount of at least 20% of the market value, up to a cap of £250,000. There are restrictions on sale and letting of these homes. The Act sets out a starter home exception site policy to enable the development of under-used or unviable industrial or commercial land, which has not been allocated for housing, for starter homes. Local Planning authorities should not seek section 106 affordable housing and tariff-style contributions that would otherwise apply.
37. Cornwall Council may support proposals for Starter Homes on Entry level Exception Sites⁶ in the following circumstances:
- Starter Homes must be sold at a minimum of 20% below the open market value and be affordable based on local purchasing power;
 - Starter Homes must meet the minimum space standards under Policy 13 (1) of the Cornwall Local Plan (this policy now applies to Starter Homes as the national definition of Affordable Homes has been updated in the NPPF);
 - homes are subject to the Council's standard local connection criteria and nominations; and
 - a tapered penalty equivalent to the original level of discount of the purchase price will be payable if the property is sold within the first year of purchase; reducing by 20% of that discount (by value) in each subsequent year until year 6 when the property can be sold with no penalty.
38. In general in the absence of any further details from the Government, the Council will not generally support starter homes as part of an affordable housing obligation because we are not satisfied that they are affordable in Cornwall. Where proposed, the Council will limit a household's eligibility to purchase a starter home to those with a maximum household income based on local purchasing power.
39. Starter Homes will not be supported as part of the affordable housing component on Rural Exception Sites as such housing must remain affordable in perpetuity.

Rent to buy

40. There are several models of Rent to Buy products; however, all effectively provide housing initially on an affordable rented basis, which may be converted to either outright ownership or shared ownership over time. Generally such products are supported in principle by the Council subject to approval of the details of provision including affordability, particularly where such housing is provided over-and-above the Section 106 obligation associated with a planning permission.

⁶ As defined in the Glossary

41. However, on rural exception sites there can be a conflict with the requirement for all affordable homes to be provided as such in perpetuity through a suitable planning obligation. On policy 9 rural exception sites, rent to buy products can therefore only be supported if the homes convert to shared ownership over time, which is suitably restricted as such in perpetuity; or the 'subsidy' element of a sales receipt is returned to the Council to reinvest in other affordable housing accommodation, or where there is a guarantee that all sales proceeds are used to fund further affordable housing in Cornwall. Use of public subsidy for rent to buy homes will also not be supported unless on this basis.
42. On policy 8 sites, rent to buy will only be considered as part of the 30% intermediate tenure target (providing another route to home ownership) and not as part of the 70% requirement for affordable rented tenure.
43. Where rent to buy products are agreed and supported in accordance with the above, these should be provided through an approved Registered Provider or Community Land Trust. They will also be secured by an appropriate planning obligation to ensure they constitute affordable housing and provide nomination and sales rights to the Council.

Living Rent

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

Planning Obligation Thresholds

45. Affordable housing is a planning obligation which is most commonly secured by a section 106 (S106) legal agreement. The Government has published guidance on thresholds for planning obligations which can be secured by s106⁷ and these are also set out in the National Planning Policy Guidance. Cornwall Local Plan Policy 8 also sets out the thresholds for affordable housing obligations. Further details on thresholds, including the Council's approach to small sites is provided in a guidance note on the Council's website <https://www.cornwall.gov.uk/housing/affordable-housing/affordable-housing-policy/>
46. Proposals which fall under the threshold but still wish to provide affordable housing are not discouraged and the affordable homes can

⁷ <https://www.gov.uk/guidance/planning-obligations>

be secured in a different way, for example through a Nominations Agreement. The Council's Affordable Housing Team can advise on a case-by-case basis.

47. The Local Plan is clear that the subdivision of sites is not acceptable, i.e. to attempt to deliberately circumvent the site size threshold for affordable housing obligations, for example by a phased development; or the subdivision of a larger site; or by artificially lowering the number of units proposed. To clarify; the provisions of the Local Plan applies equally to Policy 8 or Policy 9 sites and in both cases the Council will apply due scrutiny. For policy 9 sites this will include scrutinising whether proposals have been contrived to seek to create future infill development which is not acceptable.

Types of development subject to affordable housing obligations

48. The use class order⁸ establishes the range of different use classes that are considered to relate to residential development. The following forms of development are required to contribute towards affordable housing:
- C3 dwellinghouses – including residential elements of mixed use schemes and conversion to residential use;
 - self-contained units for people of pensionable age e.g. retirement apartments;
 - sheltered housing or extra care development that comprise self-contained dwellings;
 - 'Park Homes' which are permanent places of residence for occupiers.
49. The following forms of development are typically not required to contribute to affordable housing:
- C2 residential institutions (that do not comprise self-contained dwellings);
 - specialist or supported housing schemes provided and managed by the local authority or Registered Provider (that are not self-contained dwellings);
 - C1 Hotels;
 - purpose built student accommodation permitted as non-permanent places of residence, for example university student accommodation and boarding schools / colleges;
 - accommodation limited to holiday use through a planning condition;
 - residential conversions within Permitted Development Rights;
 - dwellings in rural areas permitted because they are necessary for those employed in a specific business or industry to reside in, and that are subject to specific occupancy conditions, as defined by Policy 7.
50. Applications for development that falls within C4 (Houses in Multiple Occupation (HMOs)) and Sui Generis (larger houses in multiple occupation) will be determined on a case-by-case basis.

⁸ <http://www.legislation.gov.uk/ukxi/1987/764/schedule/made>

Vacant building credit

51. The Vacant Building Credit (VBC) is designed to encourage the effective re-use of land by re-using sites for housing that have been previously developed. Where a vacant building is brought back into use or is demolished to be replaced by a new building, the developer will be offered a financial credit equivalent to the existing gross floorspace of the vacant building, against the calculation of any affordable housing obligation. The Council's approach is set out in technical guidance which accompanies this SPD and is available at <https://www.cornwall.gov.uk/housing/affordable-housing/affordable-housing-policy/vacant-building-credit/>

Rounding up the affordable housing provision

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

Removal of holiday use conditions

53. The Council's approach is set out in an online guidance note: <https://www.cornwall.gov.uk/media/30558885/cpoan-holiday-conditions-4-12-17.pdf>.

Affordable housing-led schemes and main towns

54. Although the principle of an affordable housing-led (in accordance with Policy 9) approach in those main towns set out in Policy 3 is not specifically outlined in the Local Plan; it is not the Plan's intention to limit affordable housing led windfall development to being solely in rural areas nor to reduce the opportunities to meet housing need. To do so would prevent Registered Providers, developers and philanthropic land owners from bringing forward land for affordable housing-led sites on the edge of Main Towns, where the need for such housing is often most acute.

55. It is important that appropriate scale affordable housing led schemes, with high proportions of affordable housing, continue to be delivered in sustainable locations which include main towns.

Defining local need

Context

56. The need for affordable housing in Cornwall is well established. The provision of affordable housing is particularly important in our rural areas, where the development of even just a few new affordable homes can ensure the sustainability of villages and communities in the long term.

57. The Council's approach to assessing housing need for individual sites is outlined in Policies 8 and 9 of the Cornwall Local Plan, but a detailed explanation is provided below for clarification. It should be noted that Neighbourhood Development Plans cannot vary the criteria used to determine local housing need (or eligibility to access such homes once built), as this is set by strategic policy contained within the Local Plan and the Council's strategic housing allocation policy - and must be consistently applied throughout Cornwall to all affordable tenures.

Methodology

58. Housing need will always be considered at the parish or town level. The need for rented affordable homes is predominantly assessed by considering those 'qualifying' households on the Cornwall housing register with a local connection to the specific parish or town. Similarly, the need for affordable homes to buy is assessed by considering those households with a local connection that are registered with the Council's housing register for such accommodation⁹. Supplementary evidence may include a specific local needs survey completed using an approved methodology (see Glossary – Housing Needs Survey). The Council's local connection criteria are provided in Appendix 3 and are used in Section 106 legal agreements to secure both rented and intermediate affordable homes for local people.

59. New affordable homes are, in the first instance, only available to households with a local connection to the parish in which the site is located. If an insufficient number of households with a local connection are identified however, the homes 'cascade' out and become available to eligible households with a connection to the adjoining or surrounding parishes. If, having considered all eligible households with a primary or secondary local connection, affordable homes are still available on a site, the cascade is further widened to include any household with a connection to Cornwall. This will be explicitly stated in the s106 agreement for the development.

60. When assessing the housing need of an area, the Council may also take into account (amongst other things) other sites that may deliver homes to meet some of the identified local need. Balancing local housing need, with known new housing supply is a matter of judgement for the Council in its roles as Local Housing and Planning Authorities; such considerations are undertaken on a case by case basis. Typically, the number of existing permitted affordable dwellings will be subtracted from the level of identified housing need to identify the level of extant housing need in an area. For clarity, sites will not be counted within this assessment if any of the following apply:

- the planning permission is not considered deliverable within a 'reasonable period' (as determined by the Council);
- sites where only outline consent has been achieved (and are therefore not immediately deliverable); or,

⁹ Currently Help to Buy South West, or any successor to this contract

- sites that are considered by the Council to be 'stalled'.

61. The Council may also time-limit permissions for rural exception sites to encourage early delivery and prevent a proliferation of permissions that do not meet the extant housing need.

Cluster Parish Approach

62. Whilst the Local Plan supports organic growth, there are some areas in Cornwall where, due to local geography or limited sustainability etc., it is unlikely that much new housing development will be achieved. It is therefore also unlikely, that local households that need affordable housing, will have many – if any – opportunities to secure an affordable home in these areas.

63. As outlined above, the Council considers that new affordable homes should generally be for the benefit of households in the parish in which the homes are built. However, in recognising that some areas are unlikely to provide affordable housing growth organically, it is sometimes necessary to consider a 'cluster parish' approach. The cluster parish approach is typically used in circumstances where it is reasonable for the local housing need of one parish to be serviced through affordable housing provided in an immediately adjoining parish. Other circumstances in which this might be considered include:

- when a group of parishes decide to work together to provide affordable housing to meet their combined local housing need (for example through a joint Neighbourhood Development Plan);
- where a development site straddles the boundary of two parishes; or
- where an exception site is physically located within one parish, but due to a dispersed settlement pattern, occupants of the new site would reasonably be expected to rely on the services of the adjoining parish.

64. Where the cluster parish approach is considered appropriate by the Council (in consultation with the respective Parishes), housing need data from all areas within the cluster will be cross-referenced to generate a combined housing need position.

Affordable housing design

Mix, size and accessibility standards

65. The affordable housing mix (house types and sizes) should typically:

- be designed to develop a mixed, balanced and sustainable community;
- broadly reflect the local identified housing needs requirements; but
- not comprise any unbalanced over provision of one unit type or size; and
- apply the nationally described space standards.

66. The Council encourages developers to consult with the Local Planning Authority through a pre-application enquiry or Planning Performance Agreement prior to submitting an application. This will help identify specific requirements. The Council also recommends including Registered Provider partners as early in the process as possible (where relevant), as their input at the design stage can help maximise the value of affordable homes and simplify the process of transferring built homes later.
67. The Council welcome the provision of 1 and 2 bedroom single storey dwellings as affordable homes to help meet the Local Plan requirement to meet the needs of an ageing or less-mobile population.
68. On sites of 10 or more affordable homes, the following should be considered:
- in suitable locations where there is a need, a minimum of 10% of affordable units will be sought as either single storey dwellings or ground floor flats;
 - generally no more than 15% of the affordable housing mix should be provided as flats;
 - the needs of small households can be met in different ways, for example;
 - homes that can be easily extended or adapted over time,
 - units that meet a 1 bed need but provide more space than a typical 1 bed/2 person home to encourage downsizing,
 - one and a half bedroom homes which have an additional modest room for use as an office or ancillary accommodation for visiting family or carers.
69. The intention of policy 13 is to ensure sufficient flexible internal space for everyday activities. Policy 13 requires all affordable housing to meet the Nationally Described Space Standards¹⁰. This reflects an intention to raise standards and provide homes which are sufficiently spacious to allow people to live in good standard accommodation; and for homes to be sufficiently flexible to adapt to meet people's needs throughout their lifetimes.
70. It is important that these policy intentions are not circumvented by providing dwellings with fewer bed spaces in order to provide a smaller floorspace footprint to reduce the build cost to the developer (for example providing 2 bed, 3 person dwellings rather than 2 bed 4 person). This is not the intention of national or Local Plan policy.
71. Affordable dwellings should be well designed and should be of a size that provides a good level of living space for their expected maximum occupancy. As a guideline, the following bed spaces will be sought:

¹⁰ Nationally Described Space Standards <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

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

Policy 13 requires all schemes of 10 dwellings or more to provide 25% of homes as 'accessible' homes in accordance with Category M4 (2) of Building Regulations¹¹.

Design and distribution of affordable housing

72. New residential developments should be designed so that affordable housing is 'tenure blind'; such that it is indistinguishable from market housing and interspersed in small clusters amongst open market homes, with different tenures of affordable dwellings similarly mixed. Consequently, affordable homes should be of at least the same quality as the equivalent open market home. Homes should comply with the requirements set out within the Council's framework for design.
73. Clustering should be proportionate to the size of the development. On smaller schemes, pepper-potting in groups of two or more may be appropriate. Unbalanced, large numbers of a particular size, tenure and type of house in one area will not normally be accepted.
74. The following are considerations which can help improve overall scheme viability and future management:
- semi-detached units and terraced units should generally be the same tenure;
 - within the development, well-located shared ownership units can help Registered Providers manage homes most effectively and efficiently;
 - large properties need to consider bed spaces, future residents and the 'liveability' of a home – i.e. provision of indoor and outdoor amenity space, storage and soundproofing;
 - gardens provided within property curtilage should be designed to maximise usability and practicality and retain wildlife corridors. Small strips of grass at the front of property often require a disproportionate amount of effort to maintain, which may be better served through low-maintenance planting; other forms of high quality amenity; or redesigning the curtilage to make the area larger and more usable;
 - carefully designed self-contained maisonettes are preferable to flats – particularly if they have separate garden and private entrance, and arranged in small blocks;
 - communal areas in shared blocks of flats should be carefully designed to minimise service charges. Shared tenure (i.e. open

¹¹ https://www.planningportal.co.uk/info/200135/approved_documents/80/part_m_-_access_to_and_use_of_buildings

- market and affordable) entrances and communal landings and stairs should be avoided;
- flats should generally each have their own entrances where possible;
 - flats should generally be in small blocks where all the flats are affordable tenure;
 - flats and maisonettes should have sufficient amenity areas for waste recycling;
 - no 2 bedrooms flats for rent will typically be supported above 1st floor level (other than in exceptional circumstances and accessible by a lift);
 - coach houses are only acceptable if a single garage below is part of the property and allocated/sold to the same household. Coach houses are considered to be flats.

Leasehold and ground rents

75. The overwhelming majority of new houses are built and sold on a freehold basis throughout the United Kingdom. However, there are examples of where developers have built new homes that have then been sold on a leasehold basis, with the freehold later being sold an investment company. Although this is a common arrangement for flats and apartments (to account for the shared facilities associated with such homes), it is not necessary for houses, and has led to a number of well-publicised examples of 'hidden' leasehold charges being forced on homeowners, which increase considerably over time, often with no 'cap'.
76. Such arrangements are of great concern to the Local Planning Authority, particularly as this often makes a home very expensive to live in, and can make it extremely difficult to sell in future years.
77. In 2017, the Government announced its intention to prevent by law developers building and selling new build houses on a leasehold basis. The detail of this approach has not yet been provided, and it is understood that primary legislation would be required to address this issue. In advance of this being published however, the Council has committed to doing all it can to stop unfair practices affecting families that need affordable housing from being affected by unfair leasehold arrangements. As such, the Planning Authority will not support any new affordable houses being built and sold on a leasehold basis, unless they are sold using the standard Homes England Registered Provider Shared Ownership Lease. This will prevent unfair lease/ground rents being charged (i.e. significant increases in cost are prohibited), which will ensure that the property not only remains affordable to occupy in the long term, but is also saleable and mortgageable should the occupant wish to move
78. Where a developer proposes to provide flats as affordable housing for sale, this must either be as shared ownership using the relevant Homes England lease, or on a standard discounted sale basis, with leasehold charges and ground rent restricted to the minimum required to maintain the building, which are subject to rent increases capped at the

standard rate of RPI + 1%. For clarity, it is accepted that flats will normally sold on a leasehold basis, and this is not unusual.

Phasing

79. Phasing the timing of the delivery of affordable homes should be set out in the S106 agreement and linked to the occupation or transfer of dwellings. With regard to the phasing set out below, the Council will require the completion and transfer of all the affordable housing prior to the occupation of all the open market homes.
80. Delivery of open market dwellings that significantly outstrip the delivery of affordable dwellings will not be supported.
81. On smaller schemes, of less than 25 units, typically no more than 50% of the open market housing is to be occupied or transferred prior to the equivalent proportion of the affordable homes being ready for occupation.
82. On larger schemes, of 25 or more units, delivery will typically be required as follows:
 - no more than 25% of open market homes to be occupied or transferred prior to completion of 25% of affordable homes;
 - no more than 50% of open market homes to be occupied or transferred prior to completion of 50% of affordable homes;
 - no more than 75% of open market homes to be occupied or transferred prior to completion and transfer of 100% of affordable housing obligation.

Viability Assessments

83. The NPPF is clear that where proposals for development accord with all the relevant policies in an up-to-date development plan (like the Cornwall Local Plan); no economic viability assessment should be required to accompany an application. The affordable housing targets in Policy 8 are based on viability and have been Community Infrastructure Levy (CIL) tested. The Council therefore only expects an economic viability assessment to be submitted for a Policy 8 site in unusual circumstances. In such circumstances the onus is on the developer to demonstrate why in their case the site-specific circumstances mean the Local Plan policy is not viable, together with clear bespoke evidence.
84. In general, outline planning applications with all matters reserved are not sufficiently evolved for applicants to be able to provide robust information regarding costs and values because all matters can change significantly. Therefore, usually assessing economic viability at outline stage is inherently flawed. The Council's expectation therefore is that it will generally only be appropriate to assess viability at detailed planning stage.
85. The following guidance sets out our expectations for Economic Viability Assessments:

- be in accordance with the requirements of the NPPF and have due regard to best practice, for example RICS guidance;
- must include an executive summary;
- provide a clear account of the extraordinary and site-specific costs or the other very special circumstances which make the scheme unviable;
- provide detailed and bespoke evidence behind all non-standard benchmark assumptions;
- provide all measurements in square metres and be consistent with submitted plans;
- appraisals will be expected to have considered value engineering or scenario testing different development options which might improve economic viability (for example different mixes of tenure, unit type and size and phasing);
- have a realistic and sound land value;
- on rural exception sites:
 - typically £10,000 per plot for the base land cost or no more than ten times the agricultural land value at the time, whichever is lower (with the cost of site abnormalities subtracted from the land value).
- On all sites:
 - the following costs should be taken into account (deducted) when defining land value:
 - the total cost of all relevant policy requirements including planning obligations and, where applicable, any Community Infrastructure Levy charge;
 - abnormal costs (for example contaminated land, mining features, listed buildings, groundworks, drainage etc.);
 - site-specific infrastructure costs (for example access roads and junctions, drainage systems, green infrastructure, connection to utilities etc.);
 - general finance costs including those incurred through loans;
 - professional fees (including professional, project management, sales, marketing and legal costs incorporating organisational overheads).

86. In accordance with the NPPF economic viability assessments will be made publically available along with all information relevant to any planning application, unless justified by exceptional circumstances.

87. Where a reduced percentage of affordable housing or a financial contribution below the full policy equivalent is accepted based on economic viability, the Council will reserve the right to implement an economic viability review mechanism and/or impose a planning condition requiring that the development must begin within a timescale shorter than the relevant default period, in case of an improvement in market conditions.

88. Issuing unviable planning consents merely causes stalled sites and land-banking. A proposal where a submitted economic viability

assessment demonstrates that a scheme is not (in the professional opinion of the Council) commercially economically viable is typically unlikely to be supported because it has not been demonstrated to be deliverable. Where an economic viability assessment demonstrates a level of return which the Council considers to be below a reasonable return together with financing costs, the Council will require the submission of documented evidence from the lending organisation which demonstrates that lending has been secured against that level of return.

Off-site contributions

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

Off-site contribution tariff

90. In circumstances where an off-site contribution in lieu of on-site provision is acceptable to the Council, a tariff-based approach will be applied. In accordance with the NPPF the off-site contribution tariff is set at a 'broadly equivalent' value to the cost of providing on-site affordable housing. The amount to be paid will be the equivalent 'cost to the developer' of providing the affordable units on-site. The cost will be equivalent to the difference between the open market value of a dwelling and the price that a Registered Provider would pay for the dwelling if it was provided on-site.

91. The amount of off-site contribution payable per dwelling is set in a tariff, applicable in each of the three different Local Housing Allowance (LHA) areas¹² in Cornwall. The tariff is provided in Appendix 2 of this SPD.

92. The tariff should be multiplied by the number of dwellings which would have been required on-site using the percentage requirement for the relevant value zone set out in Policy 8.

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

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

94. Where the affordable housing obligations has not been met on-site the Council has to find an alternative site, at its own expense. The cost of this work to find an alternative site is recovered on a cost recovery basis with the addition of a fixed rate Enabling Activity Fee (details of which are set out in Appendix 2).

Securing and investing off-site contributions

95. The Council requires the timing of payments for off-site contributions to be made at the same pace as open market dwellings are sold. Typically the Enabling Activity Fee is required to be provided prior to the commencement of development to allow the Council to begin enabling activities to find an alternative site for delivery. The remainder will then be required at certain points throughout the construction of the rest of the site; but the entire obligation is always required prior to overall completion of the site.

96. Typically the following payment triggers will be sought:

- enabling Activity Fee prior to commencement of development;
- 25% of the off-site contribution prior to occupation of 25% of the market homes;
- 50% of the off-site contribution prior to occupation of 50% of the market homes;
- 100% (or the balance) of the off-site contribution prior to occupation of 75% of the market homes.

97. Exceptions to this approach may include:

¹² Local Housing Areas are defined by HM Revenues and Customs; you can use the postcode finder at <https://lha-direct.voa.gov.uk/search.aspx> to find out which of the three areas your property falls within.

- the Council, at its discretion – having regard to economic viability considerations, agrees that an alternative payment structure is appropriate;
- the off-site contribution is required from a scheme of 10 dwellings or fewer within a Designated Rural Area, which are subject to other payment terms;
- schemes for 100% flats will be negotiated on a case-by-case basis but may require 100% of the payment prior to occupation of any dwellings, typically where the freehold is to be retained.

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

Rural exception sites

Scale

99. The NPPF defines rural exception sites as 'small sites used for affordable housing in perpetuity where sites would not normally be used for housing'. Local Plan Policy 9 states that rural exception sites are proposals on sites outside of but adjacent to the existing built up areas of smaller towns, villages and hamlets with the primary role of providing affordable housing to meet local needs. The NPPF does not define 'small' but the inference is clear and Local Plan Policy 9 requires the scale to be appropriate.

100. As the Council has received numerous applications for rural exception sites which we do not consider to be of an appropriate small scale, guidance is set out below.

101. Scale is measured by the number of dwellings proposed. The Council will require proposals for rural exception sites to be of an appropriate scale which is proportionate to the settlement and/or the level of affordable housing need. The size of a rural exception site will be considered on a case-by-case basis, taking into account the scale proposed in relation to the settlement and need; together with considerations such as the sustainability of the settlement, local services and facilities, the existing housing supply in the Parish (determined in accordance with guidance set out elsewhere in this SPD) and (where adopted) policies in the Neighbourhood Development Plan.

102. It should be noted that proposals for inappropriately large developments on rural exception sites are unlikely to be supported by the community.
103. Applicants considering putting forward proposals for a rural exception site are encouraged to undertake a pre-application process to get advice on a suitable scale for the proposal.

Affordable housing-led

104. Local Plan Policy 9 is quite clear that it requires schemes to be **led** and driven by affordable homes and not open market delivery. The **primary purpose** of the proposal must be to provide affordable homes for local needs. The inference is clear that the majority of homes should be affordable.
105. The 50% percentage (quantum and land take) cited in Policy 9 for market housing is the absolute maximum level that will be supported - and is not the starting point for negotiations. Viability appraisals should work backwards from 100% affordable housing with the number of market homes limited to the absolute minimum necessary to cross-subsidise the affordable homes.
106. Significantly more than 50% affordable housing on policy 9 sites is expected particularly in high value zones. To enable this, there is a nationally-recognised land value for such sites to ensure that they provide the maximum amount of affordable housing possible. This is typically £10,000 per plot for the base land cost or no more than ten times the agricultural land value at the time, whichever is the lower (with the cost of site abnormalities subtracted from the land value). Exception sites in Cornwall are frequently marketed at values significantly in excess of these values and inflated landowner expectation is a significant barrier to delivery of homes. The Council will reserve the right to place additional controls where viability has been assessed (based on a stated land value) and a percentage of affordable housing has been set. These could include (but are not limited to) fixing key variables to those stated in the submitted economic viability appraisal in the S106 agreement (for example the sale prices of affordable dwellings); or the use of viability claw-back mechanisms in the s106 agreement.
107. A policy 9 site is an exception to normal planning policy which would prevent housing development. Applicants must therefore carefully justify their proposals to the Council and community by being fully compliant with Policy 9, appropriate to local needs, clearly affordable housing-led and with an appropriate mix and integration of affordable and open market tenures. This is particularly the case in areas with limited need, where potential supply exceeds needs or in sensitive areas, for example within AONBs and the World Heritage Site. The dwelling and tenure mix must be aligned with local need and not simply driven by viability and maximising value or developer return. Mixed

tenure rural exceptions sites that clearly favour open market units and differentiate from the affordable housing will not be supported.

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

Outline planning applications

109. Applicants considering submitting a proposal for a rural exception site are encouraged to follow the detailed planning application route. Submitting a detailed planning application enables all details and economic viability to be assessed, thus the percentage of affordable housing will be based upon actual development viability.
110. A pre-application proposal is a cost effective method of receiving a formal professional opinion from the Council as to whether a planning application is likely to be supported on a rural exception site.
111. Outline planning applications with all matters reserved are not sufficiently evolved for applicants to be able to provide robust information regarding costs and values. The layout, mix, design, materials, highways and landscaping can change significantly between the outline and reserved matters stage and therefore associated costs and values will vary significantly too. Assessing economic viability at outline stage is therefore inherently flawed.
112. If the percentage of affordable housing cannot be set then it is difficult to assess whether a scheme meets the requirements of policy 9 to be affordable housing led. Without knowing the number of affordable homes which will be provided it is also difficult to assess whether the proposal is appropriate to meeting local needs. Where the full details and benefits of the scheme are not known it is often difficult to gain community support for the proposal.
113. Therefore, for outline proposals on rural exceptions sites the Council will:
- be unlikely to support an outline proposal in a Parish with low or marginal need and/or a sensitive site unless exceptional justification can be made by the applicants or community support is demonstrated;
 - not assess economic viability assessments at outline;
 - set out in the S106 agreement a requirement to fix the affordable housing obligation at reserved matters stage. Outline applications will therefore be accompanied by a planning obligation requiring a maximum of 100% affordable housing, working backwards until a viable scheme is delivered. This will require the submission of a detailed economic viability assessment at reserved matters stage. The S106 legal agreement will also secure a minimum of 50% of land take for affordable housing; A tenure, unit type and size mix

- appropriate to local needs and an integrated layout should be agreed with the Council;
- fix key variables for the appraisal in the S106 including land value at a maximum of £10,000 per plot (with the cost of site abnormalities subtracted from the land value) and (where relevant) affordable housing values; and
- require the S106 restrictions to be made clear in any subsequent marketing of the site.

114. An informative or advisory note will be placed on the decision notice stating that a planning obligation is linked to this permission for an affordable housing-led rural exception scheme and that the reserved matters application will set the level of affordable housing to be provided and will cap land value at exception site prices.

115. The Council wishes to encourage expedient development of proposals which are intended to meet current local housing needs on rural exception sites and prevent speculative applications; land banking; and extended marketing of sites with speculative land values. Therefore, as directed by the NPPF, the Council reserves the right to time limit permissions, particularly for outline applications. This can be achieved by imposing a planning condition to require that a development begins within a timescale shorter than the relevant default period. This is particularly the case where a number of rural exception site permissions exist in a settlement but are not being delivered.

Entry Level Exception Sites

116. The NPPF introduced Entry Level Exception Sites in 2018. These sites are outside of but adjacent to existing settlements, on land that is not already allocated for housing. The expectation is that this will enable development on cheaper land, thereby delivering affordable homes; all homes on Entry Level Exception Sites must be affordable.

117. Cornwall Council will support applications for the development of homes on Entry Level Exception Sites where compliant with the NPPF and where all of the following criteria are met:

- the site is sustainably located and adjacent to an existing settlement;
- the proposed site is less than 1 hectare or the proposal will increase the number of homes in the existing settlement by less than 5%;
- the proposal is for housing that will meet a demonstrable local need for affordable homes for first time buyers or those looking to rent and the Council are satisfied that the homes will be genuinely affordable to these households based on local purchasing power or affordable rent;
- the proposal will deliver affordable housing types as defined in Annex 2 of the NPPF and this SPD and is retained in perpetuity.

118. Proposals for self-build plots on entry level exception sites will be supported where they are compliant with Cornwall Council's self-build policy.

Specialist Housing

119. The Council is committed to ensuring that high quality, safe and sustainable accommodation with care and support is available across Cornwall for the disabled and people in need.
120. The Care Act was introduced in 2014 to change the way that councils assess and deliver services, to ensure that they meet the needs of the whole population. The Care Act sets out the vision for adult social care, reinforcing the transformation necessary to enable greater choice, control and personalisation. It highlights the need for more preventative services that help people maintain their wellbeing through developing more supportive, inclusive and effective communities.
121. The Council's Community Based Support and Housing Commissioning Framework 2017-2025¹³ sets out the intention to radically reshape the way services are delivered, ensuring community based preventative services are supporting people to stay in their own homes for as long as possible. This is a move away from traditional social care service responses, by reducing the number of people being placed into residential care, and towards a range of accommodation and services that enable and support people to live independently in their own home. This means that different types of care arrangements are required to meet this aim, and the Council will not be prioritising the development of additional residential care provision. This does not mean that care home beds are not required, as those that do need more support often need this to be more intensive (e.g. the very old or frail, those with dementia or other severe cognitive impairments, co-morbidity or other conditions). This means that care homes may become a less prevalent but more intensive and specialised offer. It is also recognised that funding and delivery of provision is complex and often reliant on the Councils revenue support.
122. Policy 2a of the Local Plan establishes a target of the provision of 2,550 bed spaces in communal establishments for older persons, including nursing and specialist accommodation. Whilst this target was evidence based it does not account for more nuanced care arrangements, recent trends and the ideological shift in terms of social care provision and is therefore to some degree outdated¹⁴.
123. It is however clear that there remains a significant need for housing options for older people, by 2020 nearly a quarter of resident will be over 65. For example, the Council has identified that it needs to support the development of an additional 3535 units of Extra Care by 2025 to meet predicted demand. The term extra care housing is used to describe developments that comprise self-contained homes with

¹³ Current Community Based Support and Housing Commissioning Framework <https://www.cornwall.gov.uk/health-and-social-care/adult-commissioning-and-transformation/>

¹⁴ Cornwall Monitoring report <https://www.cornwall.gov.uk/media/30427467/amr-final-211217.pdf>

design features and support services available to enable self-care and independent living, with access to, or on site delivery of, 24 hour care support. Meeting this need requires partnership working both across Council services and external partners. The Council is currently leading a project to deliver 750 Extra Care units with a strategic partner but this approach alone will not meet demand. The planning system has a role to play in meeting need and the Local Plan sets the strategic framework for this by positively seeking to respond to the requirements of a changing population.

Extra care

124. The Council supports the development of extra care and specialist housing in Cornwall that both reflects the aspirations of people with dementia, physical disabilities, learning disabilities and older people.
125. The Local Plan supports a dispersed strategy to growth this means that all places are able to meet their needs in a way that is appropriate to their role and function. Policy 6 (2) requires that 'on sites of 200 dwellings or more, additional specialised housing (including extra care housing) should be considered where demand exists, to meet defined specialist needs'. Such developments are most likely to deliver an extra care development of around 50-70 homes. Extra Care Housing should usually be located in good proximity to public transport, shops, amenities and facilities (such as GP surgery and pharmacy) with a level and safe route of access. However, there may be occasions where a range of sites are appropriate especially if more innovative models are proposed which include arrangements for smaller settlements. This scale of development however, is not likely to be appropriate for smaller settlements for which there is still likely to be a demand for such housing. The Council therefore also encourages innovative solutions to the provision of extra care housing which meets the need at the right scale for the role and function of our towns and villages, including in our smaller rural communities. This could include the development of 'hub and spoke' forms of facilities to provide a range of care and support, enabling independence and rehabilitation.
126. The provision of extra care housing is subject to affordable housing requirements. It is acknowledged that the provision of extra care is likely to be more expensive, due to certain features, but economic viability will be considered in the same manner as with other schemes.
127. In order to be supported, proposals for extra care should consider the following principles: living at home with one's own front door, provide culturally sensitive services in a familiar locality, provide flexible care with opportunities for independent living skills, be accessible buildings with smart technology and provide a mix of tenures to create a sense of

community in accordance with the general principles in the Community Based Support and Housing Commissioning Framework¹⁵.

128. Applicants are encouraged to embrace HAPPI¹⁶ principles in respect of new specialist housing for all groups and provide good quality homes which allow people to lead dignified and independent lives.
129. The Council will work actively with developers, care and support providers, and housing organisations (including Registered Providers) to identify potential sites that are suitable and viable for extra care schemes.
130. Any providers or developers looking to develop new, or diversify existing schemes to deliver extra care housing are strongly recommended to speak with Adult Commissioning and Transformation and the Council's Affordable Housing Team at the earliest possible opportunity. The recommended mechanism for this is a Planning Performance Agreement (PPA) at an early stage of the planning process.
131. The Council will take a pragmatic and positive approach to economic viability and may accept a lower overall level of affordable housing on sites which support the provision of:
 - Extra Care Housing;
 - Supported Living;
 - Dementia-Friendly Housing;
 - Wheelchair Adaptable and Wheelchair Accessible homes.

Extra care accommodation

132. In order to be defined as Extra Care the following requirements should, where possible, be met:
 - occupants of Extra Care Housing should have their own self-contained homes, their own front door and a legal right to occupy the property;
 - the self-contained accommodation must incorporate design features to facilitate independence and safety including Accessible and Adaptable homes (Category 2 Building Regulations M4 (2)) and be in accordance with HAPPI¹⁷ principles;
 - personalised care and support is accessible 24 hours a day, 7 days a week on site;
 - access to meals, communal facilities and social activities on site and/or arranged in the community;
 - access to assistive technology, such as telecare and alarms, and adaptations and specialist equipment to meet health and social care needs;

¹⁵ Current Community Based Support and Housing Commissioning Framework
<https://www.cornwall.gov.uk/health-and-social-care/adult-commissioning-and-transformation/>

¹⁶ HAPPI principles are set out in 'Useful Links'.

¹⁷ Government Report on innovative housing examples from across Europe
<https://www.gov.uk/government/publications/housing-our-ageing-population-panel-for-innovation>

- the provision of “pathway flats” to facilitate discharge from hospital; and
- a choice of tenure to reflect the needs of local communities in accordance with the general principles in the Community Based Support and Housing Commissioning Framework¹⁸.

133. The Council also encourages Extra Care Housing providers to include ‘hobby rooms’, and space for mobile/visiting facilities, such as a GP/nurse, or mobile hairdressing. Some schemes, particularly those that include ‘open market units’, may also provide enhanced facilities such as shops, restaurants or gyms. Where provided, these should generally be available to the wider community
134. Extra Care Housing may also include self-contained dwellings with design features to facilitate independence and safety. Flats should include a separate kitchen, living area, bedroom(s) and a bath/shower room. Such flats can be provided as either open market or affordable housing, depending upon the type of scheme proposed.
135. Design should reflect the needs of residents. Such requirements necessitate that schemes meet the England 2015 Building Regulations M4(2) ‘Accessible & Adaptable Dwellings’ standards. Schemes of more than one-storey must have lift access.
136. The majority of flats should, where appropriate, be 1-bedroom, double-occupancy homes, with a small amount of single-person properties (as required). For extra care accommodation 1-bedroom and 2-bedroom dwellings can be occupied by a single person, these homes will be age restricted to those over 60.
137. All schemes should have a range of assistive technology in place as well as an alarm system and remote (secure) door entry. It is desirable that a range of environmental sensors and personal assistive technology is easily available on an individual basis.
138. There should be sufficient space for staff and visitor requirements – office, rest room and toilet/shower facilities.
139. The Council recognises that due to the diversity of the population and the rural nature of much of Cornwall, extra care housing will need to be flexible and adaptable and may not feature all of these characteristics but still be effective at meeting people's housing and care and support needs.

Space standards

140. We consider that a 70 unit Extra Care scheme will require a site of approximately 0.80 hectares. Any affordable homes, must meet the

¹⁸ Current Community Based Support and Housing Commissioning Framework <https://www.cornwall.gov.uk/health-and-social-care/adult-commissioning-and-transformation/>

Nationally Described Space Standard¹⁹. The table in appendix 4 sets out the typical unit types and approximate sizes.

Supported Living

141. Supported living schemes should include self-contained accommodation that will include a kitchen, living area, bedroom(s) and bath/shower room. Design will reflect the potential needs of occupants who may have mobility as well as care and support needs. Properties will be accessible and technology enabled to promote the use of assistive technology. Where appropriate, the scheme should have lift access and communal areas that facilitate social opportunities. Potential schemes will be unobtrusive and integrated within local communities; they will generally be between 8-16 units. The majority of apartments should be 1 bedroom, 2 person units in line with the Nationally Described Space Standards.

Dementia-Friendly Housing

142. The Alzheimer's Society has produced 'Dementia-Friendly Housing Charter'²⁰, providing informative guidance on a range of housing-related issues, relevant to people affected by dementia, which will be useful to applicants, including:

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

Housing without care

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

144. Other types of suitable accommodation may include:

- accessible and adaptable ground floor apartments (Category 2 Building Regulations M4 (2));
- dormer bungalow (described 1.5 bed design with room for carer if necessary);
- any adaptable upper floor apartments must be serviced by a lift.

145. The Council will positively support proposals including single storey units where the following guidance is met; single storey units should be:

¹⁹ Nationally Described Space Standards <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

²⁰ Alzheimer's Society Dementia-Friendly Housing Charter <https://www.alzheimers.org.uk/get-involved/dementia-friendly-communities/organisations/housing-charter>

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

146. It is appreciated that single storey units as described above can be 'land hungry' and this can affect economic viability, especially on smaller sites.

Residential Care

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

Category 3 Wheelchair User Homes

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

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

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

Adaptable vs Accessible – Key differences:

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

150. Category 3 wheelchair user homes include:

- step free access to every private entrance, every outdoor space, parking space and communal facility;
- step free access to the entrance storey, WC, kitchen, principal living and eating areas;
- potential for step free access to all other parts of the dwelling;
- principal bedroom and bathroom on the entrance level or the storey above or below;
- sufficient internal space;

- accessible bathrooms and kitchen;
- accessible wall mounted switches, controls and socket outlets.

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

Self and Custom-build

152. Self and custom-build (self-build) housing is defined in the NPPF as housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. Self-build housing can be an effective way to increase the mix of housing types and tenures, and has the potential to increase the delivery of innovative and highly sustainable developments in a cost effective manner. Policy 6 of the Local Plan similarly recognises that self-build housing can be affordable, market housing or starter homes.

153. Historically, many people built their own homes in Cornwall, and through the supportive Local Plan the Council would like to encourage more residents to build homes for their own permanent occupation, either individually or as part of community-led group. The basic premise is that if a site is suitable for housing, it is suitable for self-build housing. Self-build could be provided within settlements, on allocated housing land, on entry level exception sites, on rural exception sites and as single dwellings or starter homes.

154. Given that self-build housing can be affordable or market housing we envisage that a range of projects and delivery models may be supported by the Council and that our advice and guidance will evolve to reflect changing circumstances in this re-emerging housing sector. Our most up-to-date self-build guidance is available at <https://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/adopted-plans/evidence-base/self-and-custom-build>.

Self-build and affordable housing

155. Affordable self-build may provide a solution for those people in rural communities whose needs may not be met by the market and who are unable to find a suitable affordable home in their area. It is designed to help people to stay in their communities and to support our rural areas.

156. The Council considers that self-build may often be an affordable housing product under the NPPF definition of “other affordable routes to

home ownership” where it is more affordable to self-build than to purchase a home in the local market, especially where there is an element of ‘sweat equity’ (personal labour). An allowance will be made to take account of the ‘sweat equity’ invested in the property and this would normally be 10% of the open market value of the property.

157. When applying Policies 8 and 9 of the Local Plan the Council may seek, by negotiation, to provide affordable self-build houses by:
- providing low cost serviced plots to self-builders in local housing need to be occupied by that individual;
 - transfer of discounted serviced plots;
 - transfer of watertight shell units or built units (in the case of self-finish proposals);
 - an off-site financial contribution in lieu of on-site or part on-site provision.
158. The method of transfer will also vary on a case by case basis but generally will be the sale or transfer of plots to the Council, individuals or groups of individuals, a Community Land Trust or a Registered Provider.
159. The transferred plots or units would then be made available at lower cost to self-builders in local housing need. The homes delivered under this approach will normally be secured as affordable in perpetuity as primary residences; this means that they will be controlled by a legal agreement (planning obligation or covenant on the land exchange) which restricts the price at which they can be sold in future (intermediate sale) and requires that they are only sold to purchasers that can also fulfil the relevant local connection criteria. Occupiers of self-build properties that invested their personal labour in completing the original dwelling would benefit from a 10% allowance when the property is first sold.
160. Any monies raised by the Council, Community Land Trust or Registered Provider through the sale of the plots would be recycled into other affordable housing schemes.
161. However, there may be some self-build proposals which do not fit neatly into a Local Plan policy, in terms of affordable housing obligations. There may be other models to bring forward small scale self-build housing on rural exception sites and the Council will generally seek to support innovation providing that the proposal provides an “other affordable route to home ownership” that meets an identified local need within a community. Models may evolve over time but could include:
- individuals or associations of individuals applying for their own self-build plot(s);
 - small-scale community led self-build exception sites outside of but adjacent to the existing built up area of towns, villages and other small settlements;

- other innovative solutions where the Council is satisfied that the affordable housing obligation is policy equivalent or equivalent to the uplift in value from a grant of consent based on open book economic viability.

162. Full details of the Council's application of the above models will be provided in our self-build guidance available at:
<https://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/adopted-plans/evidence-base/self-and-custom-build/>

General principles for self-build proposals

163. To ensure future affordability the maximum size of an affordable self-build unit would normally be restricted to no larger than the relevant Nationally Described Space Standard (NDSS) for that property type +10% and units limited to no larger than 3 bedroom homes. Planning proposals for larger affordable self-build units would require special justification.

164. In some cases, to aid the delivery of affordable self-build units, the time periods used to cascade through the local connection criteria may be reduced and the covenants on the planning obligation may be allowed to take effect at the commencement of the development or the advertisement of the plots for sale, whichever is the sooner.

165. An accompanying Design Code for the whole self-build element of larger schemes may be produced in agreement between the land owner and the Council. This will help to provide a flexible planning permission and clarify and guide what forms of development are acceptable on a site, giving greater certainty to all parties.

166. It is good practice for plot providers to seek to provide a mix of serviced plot sizes to meet the range of demand and affordability.

Self-build and Community Infrastructure Levy

167. To claim self-build exemption relief from Community Infrastructure Levy payments self-build properties should be the sole or main residence of the individual claiming the relief for a period of 3 years from the completion of the dwelling.

Self-build Register

168. Under the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. Cornwall Council's self-build register is available at:
<https://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/adopted-plans/evidence-base/self-and-custom-build/>

169. The Council is also subject to duties under sections 2 and 2A of the Act to have regard to the register and to give enough suitable development permissions to meet the identified demand.

Appendix 1

Discounted homes for sale – discount percentages methodology

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

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

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

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

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

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

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

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

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

Value Zone	1 bed	2 bed	3 bed	4 bed
1	No comparable	£245,000	£321,000	£371,000
2	No comparable	£221,000	£274,000	£370,000
3	£149,000	£211,000	£259,000	£314,000
4	£100,000	£187,000	£239,000	£298,000

5	£95,000	£161,000	£205,000	£282,000
Target price	£77,500	£94,500	£105,500	£116,000

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

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

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

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

Appendix 2

Off-site contribution tariff

Tariff

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

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

Methodology

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

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

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

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

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

The differences between average open market values and average Registered Providers value for Local Housing Allowance is set out in the following table:

B	C	D	E	F	G	K	L	M
Area Name	2 Bed LHA rent	Capitalised value	RP Purchase Price	Open market Value	Developer 'cost' of sale to RP	Fixed Enabling Activity Fee	Off-site Contribution	Off-site contribution (Rounded)
Kernow West	£132.32	£92,464	£92,500	£184,732	£92,232	£9,750	£101,982	£102,000
Plymouth	£122.36	£85,505	£85,500	£167,786	£82,286	£9,750	£92,036	£92,000
North Cornwall and Devon Borders	£120.06	£83,894	£84,000	£176,690	£92,690	£9,750	£102,440	£102,000

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

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

Enabling Activity Fee

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

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

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

Affordable Housing Team hourly rate:		£65 p/h
Element	Hours	Cost
Site identification & landowner	30+7	£2,405
History, constraints & need assessment	2+2+2	£390
Project concept, design & project controls	2+37	£2,535
Pre-application	2+3	£325
Parish/community consultation	14	£910
Local member consultation	4	£260
Viability	7	£455
Programme management & project liaison	14+14	£1,820

Acquisition/development support	7	£455
Planning application	4+3	£455
<i>Total</i>	<i>154</i>	<i>£10,010</i>
(Rounded)	150	£9,750

Costs have been rounded to the nearest 10 hours and are correct as at April 2018. They may be updated periodically/if the standard hourly re-charges varies +/- 10%.

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

General enabling levy

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

Appendix 3

Local Connection Criteria

Affordable homes in Cornwall are restricted to those with a strong local connection to Cornwall. The Council's local connection criteria is used in all Section 106 agreements (using the Council's template) to secure both rented and intermediate affordable homes for local people. The criteria are consistent with the Council's Cornwall Homechoice policy, which may change from time to time. Therefore the criteria is provided on a webpage which can be easily updated if necessary. The link to the webpage is below:

<https://www.cornwall.gov.uk/housing/affordable-housing/affordable-housing-policy/section-106-agreements/>

Appendix 4

Extra care space standard

Any affordable homes, must meet the Nationally Described Space Standards and in terms of extra care the following table sets out the typical unit types and sizes:

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

Glossary

Affordable housing – housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers) including: affordable housing for rent, build for rent, starter homes, discounted market sales housing, other affordable routes to home ownership.

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

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

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

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

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

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

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

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

National Planning Policy Framework (NPPF) - where the SPD makes reference to the NPPF this is the 2018 national planning framework or any successor national policy which may be published by the Government.

Perpetuity - where the SPD makes reference to affordable homes being provided in perpetuity this means homes will be subject to provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision elsewhere in Cornwall.

The definitions in the NPPF indicate which affordable housing products should be secured in perpetuity and which are not required to be so. For clarity the Council's application of this is provided below. The following tenures are required to be provided in perpetuity:

- All affordable homes of any tenure on Rural Exception Sites
- All affordable housing for rent (including affordable rent, social rent or other)
- All discounted sale homes
- Shared ownership homes (or other affordable routes to home ownership products) where public subsidy is provided or where on Rural Exception Sites

In accordance with the NPPF the following tenures are not required to be provided in perpetuity:

- Shared ownership homes (or other affordable routes to home ownership products) which are not on Rural Exception Sites and where public subsidy is not provided
- Starter homes

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

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

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

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

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

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

Useful Links

National Planning Policy Framework – published in 2018, setting out the Government’s planning policies

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Planning Practice Guide – supports the Government’s planning policies set out in the National Planning Policy Framework

<https://www.gov.uk/government/collections/planning-practice-guidance>

Cornwall Local Plan – adopted Cornwall Local Plan

<https://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/adopted-plans/>

Cornwall Council Chief Officer’s Advice Notes – the Council has published planning guidance on various topics; ‘Infill/Rounding Off’ ‘Good Design in Cornwall’ ‘Holiday Occupancy Conditions’ and ‘Planning for Air Quality’. These are available online at

<https://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/adopted-plans/planning-policy-guidance/>

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

Homechoice Register – Homechoice is a system for letting Council and Registered Providers homes in Cornwall. More information is online at

<https://www.cornwallhousing.org.uk/find-a-home/homechoice-housing-register/>

Registered Providers – partner organisations who deliver affordable rent and shared ownership homes throughout Cornwall. More information is available at

<https://www.cornwall.gov.uk/housing/affordable-housing/information-for-developers/delivery-partners/>

Housing our Ageing Population Panel for Innovation (HAPPI) – 10 design principles, there are several iterations available at

<https://www.housinglin.org.uk/Topics/browse/Design-building/HAPPI/>

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

National Community Land Trust Network – the National Community Land Trust Network is the official charity providing funding, support and advice for CLTs. More information is available at

<http://www.communitylandtrusts.org.uk/>

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

Right to Buy – Government scheme which allows eligible Council and housing association tenants the right to buy their home. Further information is available at <https://righttobuy.gov.uk/>

Cornwall Council Self-Build Register – Cornwall Council's self-build register is available online at <https://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/adopted-plans/evidence-base/self-and-custom-build/>

If you would like this information
in another format please contact:

Cornwall Council
County Hall
Treyew Road
Truro TR1 3AY

Telephone: **0300 1234 100**

Email: **enquiries@cornwall.gov.uk**

www.cornwall.gov.uk