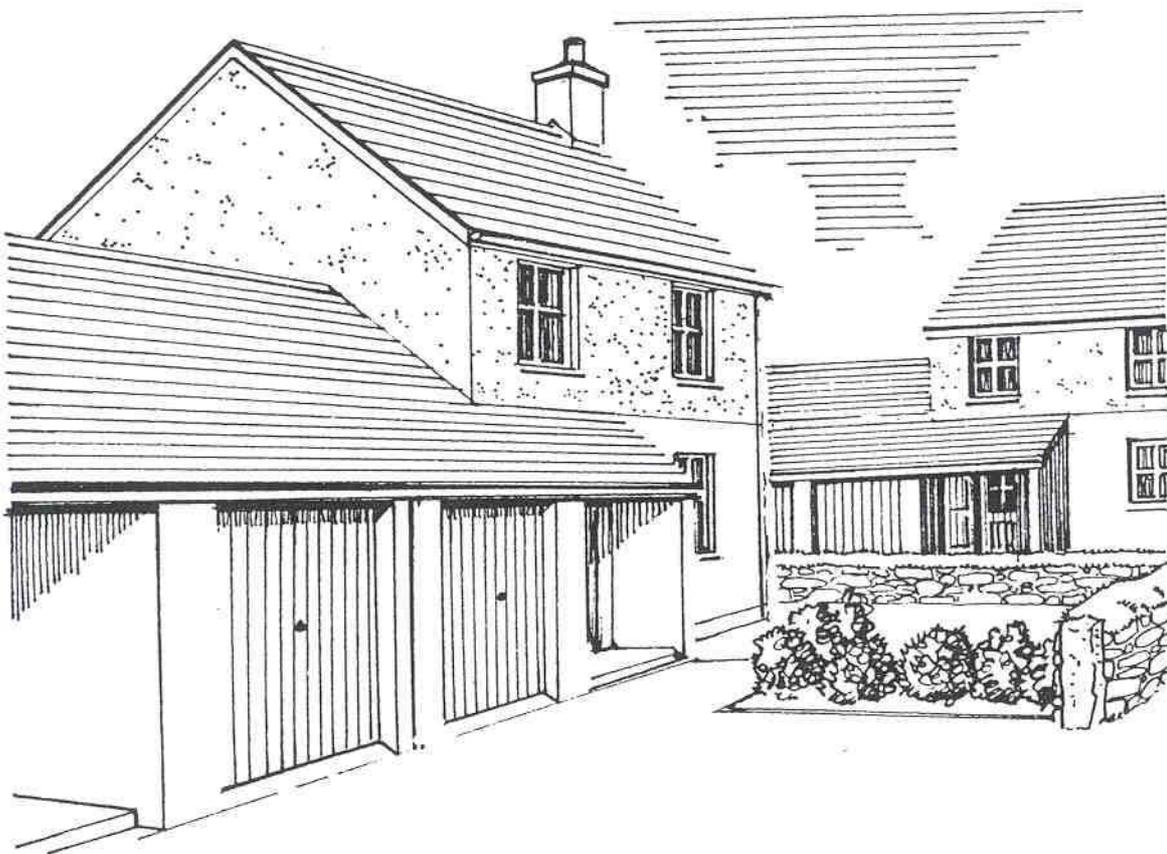




# **PENWITH DISTRICT COUNCIL**



## **SUPPLEMENTARY PLANNING**

### **GUIDANCE**

#### **Affordable Housing**

**2004**



**SUPPLEMENTARY PLANNING  
GUIDANCE  
Affordable Housing  
2004**

Adopted as planning policy September 2004

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# 1 INTRODUCTION

- 1.1 The availability of housing that can be afforded by people living and working locally has been a significant issue in Penwith for a considerable period of time. The 'gap' between average earnings in the District, and Cornwall generally, and average house prices has continued to increase and has been exacerbated by the even greater rise in house prices in recent years.
- 1.2 The lack of affordable housing has many 'knock on' effects – it has a very immediate effect on people and families who cannot afford the housing they need; it contributes to social exclusion, impacts on labour supply, economic prosperity and delivery of essential services; and it often forces, particularly young, people to leave the area altogether. In turn this undermines the balance and vitality of communities, especially in the more rural settlements.
- 1.3 The Community Plan for Penwith, which resulted from extensive public consultation, identifies affordable housing as one of the key issues facing the District.
- 1.4 The District Council has adopted the following “vision” which is  
***“to improve the quality of life for residents and visitors to Penwith by providing and enabling services which promote a more caring, prosperous, safe and healthy community”***,  
and corporate objectives relating to housing, the economy, the environment and the community. The objective relating to housing reads  
***“to promote the provision of sufficient housing which is affordable and of a decent standard to meet the needs of the community.”***  
Both the Penwith Local Plan and the Council's Housing Strategy take forward this objective and include policies and actions which try to meet it.
- 1.5 The main factors contributing to housing need in the District are the low average level of earnings and the high, and still rapidly increasing, level of house prices. Land Registry Data for April – June 2004 indicates a median (average) price for properties of almost £199,000. A household on average earnings in the District in 2003 (£18,147)<sup>1</sup> could afford a mortgage of only £81,662<sup>2</sup>. This “affordability gap” has increased significantly in recent years; for example, based on 2000 house prices it was estimated to be £33,500 compared with £89,959 in 2003.

Sources: 1. New Earnings Survey, 2003

2. Based on 3 x average income x 1.5 earners (£27,220)

## **What is Affordable Housing?**

1.6 Circular 6/98 defines affordable housing, at paragraph 4, as encompassing:

*“both low-cost market and subsidised housing (irrespective of tenure, ownership – whether exclusive or shared – or financial arrangements) that will be available to people who cannot afford to rent or buy homes generally available on the open market.”*

This definition is carried forward in the Local Plan and the Council's Housing Strategy. It means that “affordable” housing is housing for sale or rent, which is available at a price below the general market level and can be afforded by those people living or working in the area who need it.

### ***Delivering Affordable Housing***

1.7 In 1994 the Council transferred its housing stock to Penwith Housing Association, a Registered Social Landlord established for that purpose. The stock transfer generated a substantial capital receipt which has enabled the Council to support the provision of more than 600 new affordable dwellings. The Council continues to support Registered Social Landlords in providing new homes. However, the Government also expects affordable dwellings to be provided within general housing developments to ensure that all housing requirements are met and that there is a mix of different housing types within new developments. There is a presumption that a proportion of affordable housing will be provided by private developers on suitable sites; such provision is to be achieved through the planning system, by including relevant policies in development plans and determining applications for planning permission. This Guidance document relates to the implementation of those policies.

## **2 POLICY BACKGROUND**

2.1 National planning policy identifies that, in local plans, policies can specifically relate to “affordable housing” where there is a need for it rather than just to “housing”. Relevant guidance is included in

- PPG 1 – General Policies and Principles (February 1997)
- PPG 3 – Housing (March 2000)
- PPS 11 – Regional Spatial Strategies (September 2004)
- PPS 12 – Local Development Frameworks (September 2004)
- Circular 6/98 – Planning and Affordable Housing (April 1998)
- the Rural White Paper “Our Countryside: the Future – A Fair Deal for Rural England.” (November 2000)
- Circular 1/97 – Planning Obligations (January 1997)
- Sustainable Communities: building for the future (ODPM February 2003)
- Sustainable Communities – delivery through planning (ODPM July 2002)

PPG 3 in particular states that local planning authorities “should plan to meet the housing requirements of the whole community, including those in need of affordable and special needs housing”.

In addition, national housing policy guidance is set out in the Housing Green Paper – Quality and Choice (2000)

The recently published PPS11 “Regional Spatial Strategies” and PPS12 “Local Development Frameworks” introduces the new Development Plan system which will, in due course, replace Structure and Local Plans. Supplementary Planning Documents (SPD) will replace Supplementary Planning Guidance (SPG) and will have a higher status.

Amendments and additions to PPG 3 have also been published for consultation which, when adopted, will replace Circular 6/98.

“Contributing to Sustainable Communities – a new approach to Planning Obligations” was published for consultation in November 2003.

PPS1 “Creating Sustainable Communities” was published for consultation in February 2004 together with “Community Involvement in Planning: The Government's objectives.”

As a result of these, and other likely, changes the SPG will continue to be reviewed and updated after adoption.

- 2.2 Regional Planning Guidance (RPG) 10 relates to the south west of England and carries forward national guidance at a regional level. The guidance refers to a target of 6,000 – 10,000 units per year across the region.

Regional housing guidance is provided by the South West Regional Housing Strategy (November 2002) and “Sustainable Communities in the South West – Building for the future” (February 2003) which restates the RPG's annual target range for affordable housing provision.

- 2.3 The Cornwall Structure Plan sets out strategic policies for the County. The former (1997) Plan allowed for affordable housing provision on both “exception” and “planned” sites. In the current Structure Plan (adopted September 2004) Policy 8 states that development should enhance the opportunities for a home for everyone in Cornwall, while Policy 9 encourages a mix of house type and tenure that meets the needs of the whole community. The need for affordable housing targets to be set out in Local Plans, as well as the circumstances where affordable provision will be made on rural “exception” sites, is also identified in Policy 9.

- 2.4 Penwith Local Plan has been prepared by the District Council and was formally adopted on 4<sup>th</sup> February, 2004.

The Local Plan takes forward national and regional policies for affordable housing at a local level and reflects up-to-date planning guidance. It includes

- a target of 1400 affordable dwellings within the overall housing requirement of 4800 dwellings for the Plan period, 1991-2011 (Policy H-1);
- policies seeking an element of affordable housing on new housing sites over a certain size, and setting out the requirements to be met by affordable housing proposals (Policies H-13 and H-14); and
- policies allowing for affordable housing schemes on 'greenfield' sites in towns and 'exception' sites in villages where permission would not be granted for general market housing (Policies H-3, clause (ii), and H-15).

The full text of these policies is set out in Appendix (1).

The Council's Housing Strategy, was approved as 'Fit for Purpose' by the Government in July 2003 and relates to the period 2003-2008. The Strategy sets out detailed guidance on housing issues including aspirations and targets for the provision of affordable housing. The main elements are set out in Appendix (2) for information.

### **3 THE ROLE AND PURPOSE OF SUPPLEMENTARY PLANNING GUIDANCE**

3.1 The role and purpose of supplementary planning guidance is to provide more information on how the policies in the Local Plan are applied. As a result it is intended to reduce uncertainty and delay, ensure a consistent approach and provide clear guidance for developers on the requirements to be met in providing affordable housing and the basis for negotiation. The use of planning obligations or unilateral undertakings (Section 106 agreements) is an essential part of the process of securing affordable housing and the guidance sets out definitions to be met by such agreements.

The guidance is intended for use by landowners, developers, Registered Social Landlords, Town and Parish Councils, others with an interest in the provision of affordable housing and the wider community.

3.2 The guidance document derives from, and is consistent with, the 'development plan', i.e. the Penwith Local Plan, and has been prepared in accordance with Government advice in Planning Policy Guidance note 12 "Development Plans" (PPG 12) and Planning Policy Statement 12 "Local Development Frameworks" (PPS 12), which has now replaced the PPG.

As a consequence 'substantial weight' can be attached to the guidance as a 'material consideration' in the determination of planning applications and appeals. A draft document was published for consultation with statutory bodies, local councils, developers, including Registered Social Landlords, and the public. Following consideration of the representations made, and the incorporation of changes, the guidance was adopted as planning policy in September 2004. It is proposed that, since the new Local Development Framework system only came into effect in September 2004, the guidance is reviewed after 12 months and further consultation is then carried out in the context of the requirements of the new legislation to enable its adoption as a Supplementary Planning Document, which will carry more weight in the planning process. The review will take account of changing circumstances relating to housing needs, the results of monitoring policies in the Local Plan for the provision of housing (in the context of "Plan, Monitor and Manage") and changes in national or regional policy guidance.

### **4 POLICY REQUIREMENTS**

#### Level of Provision

4.1 Policy H-1 in the Penwith Local Plan provides for 4,800 new dwellings in Penwith during the Plan period (1991-2011). The policy identifies a target of 1400 affordable dwellings within this provision, which equates to almost 30% of the total. The Local Plan target must be realistic in that it has to reflect the capacity of development in the area to deliver it as well as the need for affordable housing. Between April 1991 and April 2004 3179 dwellings were completed and of these 714 were affordable, or 22% of the total.

A significant proportion of sites, particularly in the main towns, fall below the size threshold for seeking an element of affordable housing. The percentage sought on qualifying sites has to be higher, therefore, to meet the overall target. The results of monitoring housing development, for both general market and affordable requirements, will also inform the proportion to be sought. As at 1<sup>st</sup> April 2004 1621 dwellings must be completed by 2011 to meet the overall level of provision, of which 686 (or 42%) should be affordable to meet the Local Plan Target. There are already sufficient planning permissions in place to meet the overall requirement but only 89 affordable dwellings as yet have planning permission or are under construction. All opportunities for the provision of affordable housing will be maximised, therefore, in order to meet the target in Policy H-1.

In this context suitable sites in the main towns will be evaluated (see paragraph 6.3) to establish their capacity for affordable housing provision. At least 30%, and more where viability allows, will be sought. In the rural settlements, in order to relate housing development more closely to the needs of the local population, the aim will be “to match every new market house with an affordable home”, subject to financial viability, in line with the rural White Paper published in November 2000.

## **Opportunities for Affordable Housing Provision**

### **Planned Sites**

- 4.2 The Local Plan includes a number of proposals which allocate specific sites in the main towns for housing, or mixed use, development. The proposals for the main sites include a target for affordable housing provision within the development. On privately owned sites the affordable element will be sought through negotiation when relevant applications are submitted. On Council owned sites 100% affordable housing is proposed. The sites are identified in Appendix (3) “Opportunities for Affordable Housing Provision identified in the Local Plan”.
- 4.3 Other sites that meet the policy criteria for housing development (primarily Policies H-3, H-4, H-5 and H-6) but are not specifically allocated make a significant contribution to housing provision. Known as 'windfall' sites these comprise previously developed sites in the main towns or small sites in towns and villages. On, what is usually, a smaller scale Policies H-7, H-10, H-11 and H-12 also contribute to the provision of housing on 'windfall' sites through the conversion and re-use of existing buildings.
- 4.4 In addition to these policies, which relate to housing development in general, Policy H-3 includes a clause which provides for the provision of affordable housing on 'greenfield' sites in or on the edge of towns that would not be granted planning permission for general market housing. Such developments must be wholly for affordable housing and will be subject to a sequential test to ensure that previously developed sites are utilised wherever possible before greenfield sites are accepted.
- 4.5 In determining planning applications for both allocated and windfall sites Policies H-13 and H-14 in the Plan will apply. Policy H-13 seeks an element of affordable housing on sites acceptable for general market housing where they are more than a certain size. Policy H-14 sets out criteria to be met for housing development to be accepted as 'affordable', whether as an element of general housing development (Policy H-13) or where wholly affordable (Policy H-3, clause (ii)). The full policy wording of these and other relevant policies is set out in Appendix (1) for information.

## Policy H-13

- 4.6 An element, or proportion, of affordable housing will be sought through negotiation when determining planning applications for sites over the relevant size **threshold**.
- in the main towns, Penzance, Newlyn, St. Ives (including Carbis Bay) and Hayle, the **threshold** is 15 dwellings or 0.5 hectare. Where a site is smaller than 0.5 hectare, and a higher density development is proposed, the threshold of 15 dwellings will still apply. An affordable element will be sought in all types of market housing, including sheltered housing for sale or other special needs housing, in line with Circular 6/98.
- Where sites are being redeveloped, or a valid planning permission already exists, the normal threshold will apply. However, the proportion of affordable units to be sought will only be applied to the net increase in the number of dwellings proposed.
- in St. Just and the villages, which have a population of 3,000 or less, the **threshold** is 2 dwellings. Where a site is being redeveloped, or there is a valid previous permission, the percentage of affordable to be sought will be applied to the net increase in dwellings, as in the towns.
  - in assessing how the policy is to be applied adjacent sites in the same ownership or control will be taken into account, not just a specific application site. The incremental development of a larger site, by means of smaller scale applications which individually fall below the threshold, will not be acceptable.
- 4.7 The number and type of dwellings to be sought will be assessed against
- the **suitability** of the site;
  - the need to create a **successful housing development**;
  - the **identified need** for affordable housing; and
  - the **provision being made** in the locality.
- 4.8 The supporting text of the Local Plan defines 'suitability of the site' and 'successful housing development' by reference to Circular 6/98, paragraph 10 (Modification M0337). 'Suitability' is determined by the size of the site, the proximity of local services and facilities, including access to public transport, whether there are particular costs associated with its development and whether other planning objectives for the development would be prejudiced by the provision of affordable housing.
- the size of the site that is appropriate has already been determined through the thresholds included in the policy (paragraph 4.6 above);
  - the proximity of services and facilities has been taken into account in either specific Plan proposals for housing development or the wording of policies; as a result sites that are allocated, or are acceptable in the context of the relevant policy, will be appropriately located for the provision of affordable housing.

- the use of previously developed sites may result in costs such as the clearance of existing buildings or structures, the removal or treatment of contaminated material, or operating in restricted conditions. Such costs should, however, be reflected in the purchase price of the site. On other sites in areas of known past mining activity there will be a risk of underlying shafts or workings; again such conditions should be reflected in the purchase price. Such costs will not be accepted, therefore, as 'particular' costs associated with the development.
- where a developer considers there are 'particular' costs, that could not reasonably have been reflected in the initial value of the site, detailed information should be submitted to the Council, prior to or with the planning application, to be considered as part of the negotiating process.
- in establishing the value of a site the requirement for an element of affordable housing should be taken into account.
- other planning objectives for developments may need to be given priority over the provision of affordable housing, or the proportion that is sought; however, the provision of affordable housing is a key objective for the Council and the Local Plan and, as a result, clear evidence that it would prejudice other overriding objectives would be needed.

4.9 A “**successful housing development**” should, wherever possible, include a mix of affordable housing types; the proportion of affordable housing within the overall numbers requires careful consideration together with the way provision will be implemented and subsequently managed.

- the inclusion of different types of affordable housing within a site will be the aim; however, this may not be feasible or the most viable option on smaller sites and, clearly, will not be possible on the smallest rural sites. A mix of types will be sought, therefore, within settlements or localities as well as on larger sites.
- the provision of the affordable element may be implemented directly by the developer, for example where dwellings are sold at an affordable level, or in partnership with the Council or a Registered Social Landlord, for example where the relevant dwellings are constructed or purchased by a locally operating Housing Association.
- the means of implementation should be clearly identified in pre submission discussions when the application is submitted.
- the means of subsequent management, to ensure that the relevant dwellings remain affordable, and available to those in need of them, must also be identified; this could be by way of a Section 106 agreement, resulting in a local land charge on properties for sale, or through management by an RSL or local housing trust. Occupancy controls, including eligibility, will be applied to the affordable dwellings as part of the planning permission, usually through a Section 106 agreement. (See paragraph 5.1).

4.10 There is a need for flexibility in determining the most appropriate types of affordable housing to be provided on a site and for there to be agreement between the Council and the developer. However, PPG3 states that, **where a local planning authority has decided, having regard to the criteria in Paragraph 10 of Circular 6/98 (and considered above), that an element of affordable housing should be provided in development of a site, there is a presumption that such housing should be provided as part of the proposed development and failure to apply the policy could justify refusal of planning permission.**

4.11 The **'identified need'** for affordable housing will be determined from the Council's Housing Needs assessment; this is based on research of the factors affecting housing need, the Common Housing Register and the analysis of questionnaires issued to households across the District and which are submitted on a continuing basis by those in need. The latter information has been compiled as a Parish Housing Needs Register which is kept up to date; the current position should be confirmed at the time of the application. However, a summary of the most recent information available for each town or rural settlement can be obtained from the Council's website ([www.penwith.gov.uk](http://www.penwith.gov.uk)) or the Council's Housing Service.

In general terms, as at September 2004

- the need identified for affordable housing exists across the whole District;
- the numbers of people in need are highest in the main towns (Penzance, St. Ives and Hayle);
- the percentage of households in need is highest in the parishes of Sennen, Penzance, Hayle and Marazion;
- half of households in need would choose to buy while half would choose to rent, mainly from a Registered Social Landlord;
- however, only about a third of households could afford more than £50,000 for a property;
- of this third, the affordability level to buy varies between £50,000 and more than £90,000;
- household requirements include families with children, singles or couples; more than a third of households in need are single person;

4.12 The **provision permitted or proposed** in the locality includes affordable housing completed since the base date of the Plan (April 1991), sites under construction or with planning permission, allocated sites and any other sites proposed in the Council's housing programme. The amount and mix of affordable provision within the locality of the site will be taken into account together with the identified need.

- the locality of the site will be the town, or in rural areas, the village or relevant parish.
- within a town the mix of housing in the area around the site may also be relevant to the mix sought.

#### **Policy H-14**

4.13 Proposals for affordable housing will be required to **genuinely provide for an identified need** in the **locality of the site** in terms of the number and type of dwellings. As a result applications for planning permission will need to show how the scheme, or the affordable element of the scheme, relates to the need identified.

4.14 The need will be determined by reference to the Council's Housing Needs Assessment (paragraph 4.11). Depending on the amount and type of need there will usually be different options for providing affordable dwellings.

- there is a range of different forms of affordable housing that can be appropriate in meeting different needs:-
  - Social rented – where the properties are owned and managed by a Registered Social Landlord.
  - Market/private (intermediate) rented – where the rent level is discounted to be affordable. As a general guide up to 25% of household income should be spent on housing.

- Shared ownership – where a percentage of the property is purchased (with a mortgage) by the occupier and the remainder is owned by a Registered Social Landlord or possibly retained by the developer.
  - Homebuy – this involves an interest free equity loan where part of the initial cost of purchase is met by an RSL.
  - Key Worker – dwellings particularly targeted at those whose services are needed in the community, such as teachers, nurses and others, but who are unable to afford the cost of housing in the area.
  - Fixed Equity – dwellings for purchase on affordable terms provided by a Registered Social Landlord, where the sales value remains discounted to reflect local circumstances.
  - Low Cost Market – where the properties are sold at a price below the market level that can be afforded by those in need and subsequent sales (and occupancy) are restricted to eligible people.
  - Self build – where plots can be made available for an individual or group to build their own properties.
  - Supported Housing – housing with support for people with particular needs e.g. refuge for those fleeing violence, young people, impaired mobility, sheltered housing for the elderly.
- provision can also be made through the sale or transfer of part of the site, which could include serviced plots, to the Council or an RSL.
  - the form of affordable housing that will be appropriate will be largely determined by what can be afforded by those in need. Where practicable, a mix of different types of affordable dwellings will be sought within a scheme.
  - the mix should also reflect the sizes of dwelling needed.

4.15 The **'locality' of the site** will vary depending on where it is

- in the towns of Penzance and Hayle the locality will be the whole District; schemes can provide therefore for need across the District as a whole.
- in St. Ives (including Carbis Bay), where there are more constraints on development and the availability of sites more limited, the locality will be more focussed on the town; it includes therefore the parish of St. Ives, which also covers Carbis Bay, Lelant and surrounding areas, and the adjacent parishes of Towednack and Zennor where development is restricted.
- in parishes where there is more than one town or village suitable for housing development the locality will be the relevant settlement and the surrounding area.
- where there is only one suitable settlement in a parish the locality will be the whole parish.
- parishes which have no settlements suitable for housing development will fall within the locality of the main villages in adjacent parishes.

4.16 **Secure arrangements** must be in place to ensure that all forms of affordable housing, including those for sale and self build, will remain affordable and available to those who need them in the future. The involvement of a Registered Social Landlord (RSL) is an effective way of controlling occupancy and affordability or a nomination agreement can be used to guarantee that the dwellings meet the local need. Unless an RSL is the developer of an affordable scheme a separate legal agreement must be concluded, to ensure that the affordable housing is provided and retained in the future, before planning permission will be granted. Such agreements, referred to as Section 106 agreements, derive from Section 106 of the Town and Country Planning Act 1990 and can take the form of either a planning obligation or a unilateral undertaking. In some cases the use of planning conditions, linked to a legal agreement, may be appropriate.

More detailed information on Section 106 agreements is provided in Section 5.

### **Off Site Contributions**

4.17 Where a requirement for an element of affordable housing on a site is appropriate it should be met on the site. However, if the Council, as local planning authority, and the developer both consider that it is preferable that a financial or other contribution should be made towards the provision of the element of affordable housing on another site in the District, they should ensure that secure arrangements actually result in the provision of affordable housing that would not otherwise be provided.<sup>3</sup>

Circular 6/98 advises that planning obligations should be drafted so that they allow the developer to make the contribution only on the signing of contracts to provide the affordable housing element.

Calculation of the contribution will be based on a realistic means of achieving the equivalent number of dwellings that would normally be sought on site. It must, therefore, take into account the cost of a serviced site, and of construction, in an appropriate location, both in terms of planning policies and meeting the identified need for affordable housing within the locality. It must also reflect the additional cost of bringing a separate site forward. As a result of these factors the calculation will be based on the open market cost of an equivalent dwelling less the affordable level of return that would have been payable to the developer for units provided on site.

i.e. **for example**, the offsite contribution payable for each affordable unit to be provided will be equal to:

the equivalent open market price of the dwelling £200,000  
less the 'affordable' level £73,000  
equals £127,000

(3. Circular 6/98)

The equivalent open market price will be established through the negotiation process by reference to the developer's projected selling price and/or Land Registry data as relevant; the affordable level will be based on relevant earnings as identified in the New Earnings Survey (ONS). The definition of 'Affordable' and 'Relevant Earnings' is as set out in paragraph 5.2 (Definitions). The provision of land, in an appropriate location and subject to planning permission being granted, could also be taken into account in the calculation.

### **Rural Exception Sites**

- 4.18 There are particular difficulties in securing the provision of affordable housing in rural areas where the achievement of even 50% of new housing on planned sites is insufficient to meet the need identified. In line with national policy Policy H-15 in the Local Plan allows for affordable housing development in suitable rural settlements on sites that would not be acceptable for general market housing.

### **Policy H-15**

- 4.19 The policy is an **exception** to the policies in the plan for the provision of general market housing. It relates to **small** sites which, even in the larger villages, would not normally be for more than 10 dwellings, and proposals **must genuinely provide** affordable housing.

- the proposal must be wholly for affordable housing. Proposals for a mix of general market and affordable housing will not be acceptable on 'exception' sites.
- in order to provide genuinely affordable housing, and to reflect the exceptional nature of the site, the land value will be significantly less than that of sites acceptable for general market housing.

Support from the Parish Council will be particularly important for 'exception sites'. Parish Councils should be involved at an early stage, therefore, and throughout the process. The Rural Housing Enabler who works with the Cornwall Rural Community Council ([www.cornwallrcc.co.uk](http://www.cornwallrcc.co.uk)) also has a role to play in bringing forward schemes.

- 4.20 To meet the requirements of the policy the site must be located **in or on the edge of** St. Just or a village that has a general shop, a public transport service and, where family dwellings are proposed, a primary school within safe and convenient walking distance. A list of relevant villages is included in Appendix (3) and it should be noted that changes in circumstances may result in a village no longer meeting the policy requirements.

- “on the edge of” means immediately adjacent to existing built development.
- policies in the Plan relating to areas of national or local value including Open Areas (Policy TV-2) apply equally to 'exception' sites.
- policies relating to traffic generation, drainage and other services must be met.
- the number and type of dwellings proposed must be related to an identified need in the locality of the site that would not otherwise be met.
- information on need is available from the Council's Housing Needs Assessment (paragraph 4.11).
- because of the exceptional nature of these schemes they will only be acceptable where other sources of affordable housing are insufficient to meet the need.
- a mix of different types of affordable housing will be sought depending on the need identified (paragraph 4.14).
- in the parishes of Penzance, St. Ives and Hayle the locality will be the relevant village and its immediate surroundings.
- in other parishes it will be the relevant settlement or parish, including an adjacent parish which has no villages meeting criterion (i) of Policy H-15.

- 4.21 Occupancy of the dwellings will be restricted to those accepted by the Council as having a need for affordable housing in the specific settlement or parish.

- such a need will be defined on the basis of living or working in, or having a strong local connection with, the settlement.
- occupancy will be restricted to those in local need in perpetuity, not just in the first instance.
- control over occupancy, and the type of dwellings to be provided, will be secured through a Section 106 agreement (paragraph 5.1).

- where, on a change in occupancy, there is no qualifying person in the locality a 'cascade' approach will be adopted to identify a suitable person from adjacent parishes (see paragraph 5.2).

### **Re-use of buildings outside towns and villages**

- 4.22 The conversion of rural buildings, which are outside towns and villages where residential development would be acceptable, is not normally appropriate for housing, including affordable housing. The priority, in line with national policy guidance, is on re-use for employment purposes including tourist accommodation. (Policy H-11 in the Local Plan). However, where it is occasionally possible to meet the affordable housing objectives of the Local Plan policies and Government guidance through the conversion of such a building the circumstances could be treated as “other material considerations” to support the proposal.
- 4.23 Government advice is very clear that affordable housing should be related to “a community need” not to an individual's need. The conversion of a building outside a town or village would only be considered acceptable, therefore, in the following circumstances:
- i. the building is in a suitable location, taking into account accessibility to employment, services and schools;
  - ii. the building is a traditional example of a local vernacular building which can be converted without major rebuilding or extension;
  - iii. it will genuinely provide for a household in need of accommodation who are unable to compete in the local housing market;
  - iv. there is a proven local need related to living (including family connections) or working in that parish; and
  - v. the occupation of the dwelling is limited, through a Section 106 agreement, to those meeting criteria (iii) and (iv), and the price for subsequent disposal is related to the average wage in the District or evidence of need in the parish where available.

## **5 CONTROL OF DEVELOPMENT**

- 5.1 All proposals for affordable housing will be required to include secure arrangements to ensure that the dwellings are occupied by those in need and retained for affordable housing in the future. On planned sites this could be through the involvement of a Registered Social Landlord, a legal agreement deriving from Section 106 of the Town and Country Planning Act, 1990 or by conditions, linked to a Section 106 agreement. On 'exception' sites a Section 106 agreement will be required regardless of the developer.
- a Section 106 agreement can take the form of either a planning obligation which is negotiated between the parties or a unilateral undertaking, which is submitted by the developer with the application.
  - an agreement will need to include definitions of affordability levels, or where relevant reference to management by a Registered Social Landlord, those qualifying as eligible to occupy the dwellings and the locality relevant to the site together with details of the number and type of affordable units to be provided.
  - an agreement may include other requirements as well as those relevant to affordable housing.

- 5.2 The Council has prepared standard agreements which can be used as the basis for negotiations on specific sites. Agreements will vary in reflecting planned or exception sites as well as the location and specific circumstances of the application.

### **Definitions to be included in Section 106 agreements**

**'Affordable Housing'** means both low cost market and subsidised housing (irrespective of tenure, ownership – whether exclusive or shared – or financial arrangements) that will be available to a qualifying person who cannot afford to rent or buy homes generally available on the open market.

**'Affordable'** means

1. dwellings available for sale or under a shared ownership scheme to a qualifying person at a price less than or equal to the relevant earnings figure multiplied by three (for a single income purchaser) or one and a half times the relevant earnings figure multiplied by three (for joint purchasers with two incomes).
2. dwellings available to a qualifying person for rent at a level based on target rents (updated annually by the Housing Corporation/ Registered Social Landlord).

**'Relevant Earnings'** means the earnings levels identified for the locality of the site through the Council's Housing Needs Assessment or the average earnings figure for the area identified in the New Earnings Survey (provided this is relevant to those accepted as being in need). The New Earnings Survey (2002) identified an average earnings figure of £16,315 p.a.

**'Qualifying Person'** means a person who is considered in the reasonable opinion of the Council to be in housing need who has not, either solely or with another, held a lease in excess of twenty one years or owned the freehold of a residential dwelling; and has either been continuously resident in the locality of the site for the period identified in the Council's housing allocation policy or has strong local connections with the locality. Currently (September 2004) the period identified is three years but this is subject to review.

**'Initial Qualifying Person'** means a 'Qualifying Person' who has been resident in, or has local connections with, the 'Primary Locality'.

**'Secondary Qualifying Person'** means a 'Qualifying Person' who has been resident in, or has local connections with, the 'Secondary Locality'.

**'Final Qualifying Person'** means a 'Qualifying Person' who has been resident in, or has local connections with, Penwith District.

**'Primary Locality'** means the relevant town or village, with its immediate surroundings, or the parish, or adjacent parishes. The primary locality will vary depending on the location of the proposed site (see paragraphs 4.15 and 4.20). Where the locality is not defined by a parish or other administrative boundary it will be defined on a plan accompanying the Agreement.

**'Secondary Locality'** means the adjacent parish or parishes depending on the location of the site.

'**Strong Local Connections**' means a person's connections with the Primary or Secondary localities or the District; it will be evidenced by birth, education whilst under the age of eighteen, current employment or previous period of residence for at least three years, which is, in the reasonable opinion of the Council, sufficient to make the person a 'Qualifying Person'.

The reason for identifying Primary and Secondary Localities is to ensure that a 'cascade' approach can be adopted to identify a suitable occupier if at any time there is no one qualifying as being in need in the immediate locality of the site. Such an approach safeguards the interests of the Housing Association, local trust or developer in identifying suitable occupiers within a reasonable period of time and ensures that affordable properties do not remain vacant.

## 6 **PROCEDURE FOR DEALING WITH PLANNING APPLICATIONS**

### **Information Required**

6.1 Developers of affordable housing proposals, or of sites where an element of affordable housing will be sought, are strongly encouraged to discuss their proposals **at the earliest possible stage**. Pre-submission discussions will involve housing, as well as planning, officers; in particular advice on the need identified in the area and relevant means of provision will be provided on request. Where it is proposed to involve an RSL their early involvement is also encouraged.

6.2 In the Planning and Building Control service initial advice on planning policies should be sought from the Forward Planning section, while advice on the submission of planning applications can be obtained from the Development Control section. Advice on the scale and type of need in the area, and on the Council's housing enabling role, can be obtained from the Housing Strategy and Enabling section (Housing and Environmental Services).

Contact details are set out in Appendix (4).

6.3 The normal range of details are required in respect of planning applications which include affordable housing. However, it will be important from the information provided that the Council can establish the following:-

- i. The scheme provides for the maximum percentage of affordable housing units appropriate to the level and type of need in the relevant area, whilst ensuring the development remains viable.
- ii. The scheme has a reasonable prospect of being implemented and managed in a manner which will ensure that the affordable housing provided meets the relevant need and is sustainable.

The purpose of establishing these points is to ensure that the scheme is viable in the interest of both the applicant and the objective of securing sustainable affordable housing.

6.4 In terms of viability, any application should include the following:-

- a breakdown of the mix, type, size (expressed as floor area) of the dwelling units.
- proposed tenure of affordable units, for example social rent, shared ownership, low cost for sale, equity share, sub market rent, as relevant to the identified need.
- details of the proposed 'affordability level' i.e. what the properties will cost.
- details of proposed management arrangements.

- any units designed specifically for wheelchairs should be identified.
- anticipated planning obligations, such as educational contributions or highway works contributions. (The County Council waives educational contributions for most affordable housing).
- any capital contributions from other sources such as lottery grant, or cross subsidy from non-housing elements of a mixed use scheme.
- anticipated grant rate for the affordable housing element, if applicable.
- particular development costs which need to be accounted for (which could not reasonably be reflected in the value of the site).

The Council recognises the normal development costs such as professional fees, internal overheads, finance, marketing, developer and contractor returns, and as such there is no need to provide details of these unless for any reason such costs would be exceptionally above those normally anticipated.

Applicants are encouraged to agree, in advance of submitting an application, a unilateral undertaking in respect of the affordable housing element. This can then be submitted as part of the application and should help aid the case in establishing point (ii) in paragraph 6.3 as well as speed up the determination process. The undertaking should take full account of the definitions set out in paragraph 5.2.

6.5 In determining the application the Council will evaluate the proposed scheme by means of a 'Development Control Toolkit', or computer model, which can establish the viability of providing the affordable housing element. The 'toolkit' can also be used to assess proposals prior to the submission of an application, subject to the necessary information being available. The 'toolkit' has been developed by consultants acting for Carrick District Council in consultation with the other Cornish Districts and is intended to be used across Cornwall. A guidance document is being prepared on its use. Advice and a demonstration of the model can be provided on request.

6.6 The involvement of a Registered Social Landlord (RSL) is an effective way of both providing affordable dwellings and managing occupancy. RSLs are obliged to have publicly available policies and procedures for allocating tenancies which are open, fair and based on housing need, and their continuing interest ensures that future ownership and occupation will also be controlled to meet housing needs. The Council works closely with RSLs to agree the basis for nominating households for dwellings.

The involvement of a Registered Social Landlord (RSL) is an effective way of both providing affordable dwellings and managing occupancy. RSLs are obliged to have publicly available policies and procedures for allocating tenancies which are open, fair and based on housing need, and their continuing interest ensures that future ownership and occupation will also be controlled to meet housing needs. The Council works closely with RSLs to agree the basis for nominating households for dwellings.

From the developer's perspective the involvement of an RSL can, therefore, provide a means of complying with the policy requirements. This can be achieved through the RSL purchasing completed units (provided they meet the required design standard) or by the RSL itself developing part or parts of the scheme. It is important that, if an RSL is to be involved, an early approach is made by the developer and negotiations are encouraged prior to the submission of a planning application. Contact details for the RSLs operating locally are included in Appendix 4.

The involvement of an RSL can provide a source of funding for the affordable units; however, this will normally be subject to the allocation of a grant by the Housing Corporation. The Corporation's website ([www.housingcorp.gov.uk](http://www.housingcorp.gov.uk)) provides further information on the bidding process, priorities for funding and scheme development standards.

- 6.7 The Council is also in the process of establishing an Affordable Housing Task Force as a way of focussing more resources on the delivery of affordable housing. The Task Force is a dedicated team of planning, housing and legal officers, whose role is to identify suitable potential sites for affordable housing, to consult with Town and Parish Councils and the local community on sites and schemes and to bring developments forward. A guide to the role of the Task Force, “Delivering Affordable Homes” has been prepared and is available on the Council's website or in printed form.

## **7 GENERAL DEVELOPMENT GUIDANCE**

- 7.1 Servicing, access and traffic issues will be considered in the context of the relevant policies in the **General Development Guidance** and **Community Service** sections of the Local Plan together with advice from appropriate agencies.
- 7.2 The design of affordable dwellings will be expected to be 'tenure blind' and contribute to achieving a mix of housing types in balanced communities. Quality remains important and should not be compromised in the name of affordability.
- sustainable design will be sought in line with Policies GD-2, CS-6 and other guidance. Energy efficiency will be particularly important in combating fuel poverty.
  - in designated areas, including the Area of Outstanding Natural Beauty (AONB) and Conservation Areas, scale, design and the use of materials will be particularly important in reducing the impact of new development on its surroundings. (Policies CC-3, TV-6 and others in the Coast and Countryside and Towns and Villages sections).
  - rural exception sites should be capable of being integrated with the form of the settlement, be of a scale and design which is in keeping with, and should not have a significant adverse effect on, its setting or character. (Policies TV-1, GD-1 and GD-3).
- 7.3 The Council is proposed to prepare a Design Guide for the District which will provide further guidance. The AONB Management Plan ([www.cornwall-aonb.gov.uk](http://www.cornwall-aonb.gov.uk)) also recognises the importance of providing affordable housing in settlements within the designated area without compromising the important safeguards of a nationally protected landscape.

## **Appendices**



## **Appendix One**

### **Penwith Local Plan Policies relevant to Affordable Housing**

### Penwith Local Plan Policies relevant to Affordable Housing

#### **POLICY H-1**

PROVISION WILL BE MADE FOR ABOUT 4,800 NEW DWELLINGS IN PENWITH DISTRICT DURING THE LOCAL PLAN PERIOD (1991-2011). THIS FIGURE WILL INCLUDE A TARGET OF ABOUT 1400 AFFORDABLE DWELLINGS TO MEET IDENTIFIED LOCAL NEEDS.

#### **POLICY H-3**

PROPOSALS FOR HOUSING DEVELOPMENT WILL BE PERMITTED IN PENZANCE, NEWLYN, ST. IVES AND HAYLE PROVIDED THAT THE PROPOSAL IS FOR THE RE-USE, RENOVATION OR REDEVELOPMENT OF PREVIOUSLY DEVELOPED LAND OR BUILDINGS ON SITES WITHIN THE TOWNS.

IN ADDITION, PROPOSALS FOR THE FOLLOWING WILL BE PERMITTED ON GREENFIELD SITES:

- (i) THE DEVELOPMENT OF SMALL SITES, 0.3 HECTARE OR LESS IN AREA, WITHIN THE TOWNS; OR
- (ii) SCHEMES TO PROVIDE AFFORDABLE HOUSING WHICH MEET THE REQUIREMENTS OF POLICY H-14.

DEVELOPMENTS PROPOSED IN THE CONTEXT OF CRITERION (ii) OF THIS POLICY WILL ONLY BE ACCEPTABLE WHERE THERE IS AN INSUFFICIENT SUPPLY OF PREVIOUSLY DEVELOPED LAND TO MEET THE NEED IDENTIFIED IN TERMS OF LOCATION AND TIMESCALE FOR PROVISION.

#### **POLICY H-13**

AN ELEMENT OF AFFORDABLE HOUSING, WHICH MEETS THE REQUIREMENTS OF POLICY H-14, WILL BE SOUGHT THROUGH NEGOTIATION IN PROPOSALS FOR:-

- (i) 15 OR MORE DWELLINGS, OR 0.5 HECTARE OR MORE IN AREA,
- (ii) 2 OR MORE DWELLINGS, SUBJECT TO FINANCIAL VIABILITY, IN SETTLEMENTS WITH A POPULATION OF 3,000 OR LESS.

THE NUMBER AND TYPE OF DWELLINGS SOUGHT IN EACH CASE WILL BE ASSESSED AGAINST THE SUITABILITY OF THE SITE, THE NEED TO CREATE A SUCCESSFUL HOUSING DEVELOPMENT, THE IDENTIFIED NEED FOR SUCH HOUSING AND THE PROVISION PERMITTED OR PROPOSED IN THE LOCALITY.

#### **POLICY H-14**

PROPOSALS FOR AFFORDABLE HOUSING WILL BE REQUIRED TO:-

- (i) GENUINELY PROVIDE FOR AN IDENTIFIED NEED IN THE LOCALITY OF THE SITE IN TERMS OF THE NUMBER AND TYPE OF DWELLINGS; AND
- (ii) INCLUDE SECURE ARRANGEMENTS THROUGH THE INVOLVEMENT OF A REGISTERED SOCIAL LANDLORD OR, WHERE OTHER AFFORDABLE HOUSING PROVIDERS ARE INVOLVED, THROUGH THE USE OF CONDITIONS OR PLANNING OBLIGATIONS TO ENSURE THAT THE DWELLINGS WILL BE RETAINED AS AFFORDABLE HOUSING IN THE LONG TERM.

Note: In Penzance and Hayle the locality will be the whole District; in St Ives it will be the parish and the parishes of Towednack and Zennor; elsewhere it will be the relevant settlement.

#### **POLICY H-15**

AS AN EXCEPTION TO OTHER POLICIES IN THE PLAN FOR THE PROVISION OF GENERAL HOUSING PROPOSALS FOR SMALL SITES, WHICH WOULD NOT OTHERWISE BE GRANTED PLANNING PERMISSION, WILL BE PERMITTED WHERE THEY WOULD GENUINELY PROVIDE AFFORDABLE HOUSING PROVIDED THAT:-

- (i) THE SITE IS LOCATED IN, OR ON THE EDGE OF, ST JUST OR A VILLAGE WHICH HAS A GENERAL SHOP, A PUBLIC TRANSPORT SERVICE AND, WHERE FAMILY DWELLINGS ARE PROPOSED, A PRIMARY SCHOOL WITHIN SAFE AND CONVENIENT WALKING DISTANCE;
- (ii) THE NUMBER AND TYPE OF DWELLINGS PROPOSED ARE RELATED TO AN IDENTIFIED NEED IN THE LOCALITY OF THE SITE THAT WOULD NOT OTHERWISE BE MET; AND
- (iii) THE OCCUPANCY OF THE DWELLINGS WILL BE SECURED, THROUGH THE USE OF CONDITIONS OR A PLANNING OBLIGATION, TO MEET LOCAL NEEDS IN PERPETUITY.

Note: In the parishes of Penzance, St Ives and Hayle the locality will be the relevant village; elsewhere it will include the relevant settlement or parish or an adjacent parish which has no villages meeting criterion (i) of this policy.

#### **Other relevant Local Plan policies**

Policy H-4	Development in Rural Areas – St. Just
Policy H-5	Development in main Villages
Policy H-6	Development in other Villages
Policy H-7	Development in Villages of special character
Policy H-10	Subdivision of existing dwellings.
Policy H-11	Conversion of non-residential buildings for housing.
Policy H-12	Dwellings over town centre premises.
Policy TV-1	Setting and character of towns and villages
Policy TV-2	Open Areas related to Settlements
Policy TV-6	Conservation Areas
Policy CC-1	Safeguarding the values of the coast and countryside.
Policy CC-3	Areas of Outstanding Natural Beauty
Policy GD-1	Scale and siting of development
Policy GD-2	Design and layout of development
Policy GD-3	Landscape and planting
Policy GD-4	Services/prevention of pollution and flooding
Policy GD-5	Highway issues
Policy E-4	Conversion of existing buildings to employment uses.
Policy E-10	Safeguarding of industrial estates/retention of premises.
Policy TP-12	Provision of parking
Policy CS-4	Flood defences/Tidal inundation
Policy CS-5	Groundwater quality
Policy CS-6	Sustainable drainage
Policy CS-7	Private sewage treatment
Policy CS-8	Watercourses, waterbodies and the coast

**NB All policies in the Local Plan apply.**



## **Appendix Two**

### **Housing Strategy**

### Housing Strategy

In July 2003 the Council adopted its Housing Strategy 2003 – 2008, “Homes for life in Penwith”, which has been 'Approved as Fit for Purpose' by the Government. This identifies the provision of affordable and quality homes as one of the Council's key objectives, and sets out its aspirations and targets to improve the range of affordable housing, improve the quality and reduce the costs of temporary housing, use planning policy to deliver more affordable housing where it is needed, and maintain and improve the quality of privately owned and rented properties.

The Strategy also sets out the Council's understanding of what constitutes affordable housing, namely a mix of social rented, shared ownership and discounted ownership which is well integrated into new developments for housing for sale on the open market. The option of discounted purchase is essential otherwise the majority of local people on local wages will never get their foot on the property ladder given current market prices.

The Strategy highlights the fact that since the sale of its housing stock in 1994 to Penwith Housing Association, the Council has worked with housing associations to enable over 500 new affordable homes. Unfortunately this has not kept pace with demand. Over the last three years the cost of housing to buy has almost doubled but low local wages mean that many first time buyers simply cannot afford to buy a home.

The strategy identifies the key housing issues in Penwith as including:

- 3,000 households on the Common Housing Register and districtwide Parish Register;
- A scarcity of affordable private rented and housing to buy;
- Not enough new private and social rented homes;
- Too many families with children in Bed & Breakfast;
- Low incomes and an increasing affordability gap preventing people from leaving the social sector and creating vacancies;
- Insufficient grant aid for private sector renewal;
- High levels of unemployment and worklessness;
- The struggle of tenants to meet the gap between the cost of private rents and eligible rents payable through Housing Benefit;
- The inability of some owner occupiers to afford to maintain homes;
- A buoyant housing market encouraging landlords to sell up; and
- Low interest rates encouraging purchase for investment.

The increasing affordability gap means that there is an overall shortage of affordable housing.

The strategy outlines the Council's intention to encourage the increased supply of affordable homes through the use of:

- social rented properties, including new build and the purchase of existing properties;
- market rented properties;
- low cost ownership;
- shared ownership and 'Home Buy';
- self build; and
- the re-use of vacant properties and living over the shops;

The Strategy demonstrates the Council's long term commitment to work in partnership with housing providers, developers, private landlords, local people and the Government to improve access to quality, affordable housing.



## **Appendix Three**

### **Opportunities for Affordable Housing Provision identified in the Penwith Local Plan**

**Opportunities for Affordable Housing Provision  
Identified in the Penwith Local Plan**

- in the main towns

**Penzance, Hayle, St. Ives (inc. Carbis Bay)**

- i. sites allocated in the Plan for more than 15 dwellings
  - 100% affordable on Council owned sites  
 Penzance: Penwith Street-Cross Street (Proposal H-A)  
 Hayle: Loggans Walk (Proposal H-H, under construction)  
 St.Ives: Alexandra Road depot (Proposal H-I)
  - at least 30% affordable on other sites up to the maximum viable.  
 Penzance: former gasholder/Cornwall Farmers Site (Proposal TV-A)  
 Alexandra Road-Western Promenade (Proposal H-C)  
 Hayle: rear of Madison Terrace – Beatrice Terrace (Proposal H-F)  
 rear of Copper Terrace (Proposal H-G)
- ii. previously developed “windfall” sites (not allocated but acceptable within Policy H-3 ) for more than 15 dwellings
  - at least 30% affordable up to the maximum viable.
- iii. smaller sites owned by the Council (Policy H-3)
  - 100% affordable
- iv. “greenfield” sites of more than 0.3 hectare (about 10 dwellings), not acceptable for general market housing (Policy H-3 clause (ii))
  - 100% affordable

- in rural areas

- i. “windfall” sites for 2 or more dwellings (Policies H-4, H-5 and H-6)

- 1 for 1 (or 50%) subject to financial viability

St.Just	Mousehole
Madron	Paul
Heamoor	Newbridge
Gulval (Trevarrack)	Nancledra
Ludgvan (Lower Quarter)	Trewellard
Crowlas	Sennen Cove
Long Rock	Sennen Churchtown
Marazion	Porthcurno
St. Buryan	Perranuthnoe
Pendeen	Rosudgeon-Perran Downs
Goldsithney	Phillack
St.Erth	Angarrack
Lelant	Carnhell Green, Reawla-Wall
Connor Downs	

ii. sites owned by the Council (Policies H-4, H-5 and H-6 as above)

- 100% affordable

iii. “exception” sites in or on the edge of rural settlements with certain facilities (Policy H-15)

- 100% affordable

The following towns and villages meet the requirements of Policy H-15 and, in principle, exception sites could be acceptable

St. Just	Marazion
Pendeen	St. Buryan
Madron	Goldsithney
Heamoor	St. Erth
Gulval (Trevarrack)	Sennen Churchtown
Ludgvan (Lower Quarter)	Connor Downs
Crowlas	Mousehole

In the following villages advice should be sought from planning officers on the suitability of the village for any particular scheme.

Long Rock  
Sennen Cove  
Porthcurno  
Rosudgeon  
Carnhell Green, Wall - Reawla  
Paul  
Nancledra  
Lelant

**NB It should be noted that the suitability of a village for housing development may change if the level of facilities changes.**



## **Appendix Four**

### **Contact Details**

## Contact Details

### Forward Planning

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## **Registered Social Landlords**

### **Penwith Housing Association**

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### **Devon & Cornwall Housing**

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## **Appendix Five**

### **Glossary of Terms and Abbreviations**

### Glossary of Terms and Abbreviations

**AFFORDABLE HOUSING** : housing for sale or rent which is available to those who cannot afford to occupy houses generally available on the open market.

**AREA OF OUTSTANDING NATURAL BEAUTY (AONB)** : nationally important landscape areas designated under the National Parks and Access to the Countryside Act, 1949.

**COMMON HOUSING REGISTER** : the Council's 'waiting list' for rented properties.

**CONSERVATION AREAS** : areas, designated by local authorities under the Planning (Listed Buildings and Conservation Areas) Act, 1990, which are of architectural or historical interest and where it is desirable to protect and enhance the character and appearance.

**DEVELOPMENT** : all building, engineering, mining or other operations or any material change of use in buildings or land.

**DEVELOPMENT CONTROL TOOLKIT** : a computer model, which can establish the viability of providing the affordable housing element in a scheme. It also has the ability to assess proposals prior to the submission of an application, subject to the necessary information being available.

**DEVELOPMENT PLAN** : a term used to describe the statutory plans for an area including the Structure Plan, Local Plan and plans related to specific matters such as Minerals and Waste Disposal. In future the Development Plan will comprise the REGIONAL SPATIAL STRATEGY and the LOCAL DEVELOPMENT FRAMEWORK

**EDGE OF TOWNS AND VILLAGES** : a site that immediately adjoins the built up area of a town or village.

**'EXCEPTIONAL' SITES** : sites which would not normally be granted planning permission but which may be acceptable for locally needed AFFORDABLE HOUSING.

**GENERAL DEVELOPMENT ORDER (GDO)** : Government regulations which define the types of development which do or do not require planning permission.

**'GREENFIELD' SITES** : sites that have not been developed previously.

**HOUSING REGISTER** : a list of people in need of accommodation who meet criteria set out in the Housing Acts.

**HOUSING STRATEGY STATEMENT** : a statement of the Council's housing policies.

**LOCAL NEEDS HOUSING** : housing which meets a clearly identified community need for accommodation by people living or working in, or otherwise closely connected to, a particular locality such as a village, a parish or a wider defined area. (See also AFFORDABLE HOUSING).

**LOCAL DEVELOPMENT FRAMEWORK** : part of the new Development Plan system which will consist of a folder of separate Local Development Documents (LDDs) relating to different issues. These will gradually replace the current Local Plan.

**LOCAL PLAN** : part of the Development Plan. The Local Plan is prepared by the District Council to highlight local issues, provide detailed policies for development control and proposed specific areas of land for development.

**OPEN AREAS RELATED TO SETTLEMENTS** : largely undeveloped areas close to or within towns and

villages which are important in terms of their contribution to the form, identity, environmental quality and character of the settlement.

PARISH HOUSING NEEDS REGISTER : includes details of households looking for all types of affordable housing (including rented, shared ownership and low cost to buy).

PLANNING OBLIGATION : a voluntary legal agreement between the Local Planning Authority and an interested party or a unilateral undertaking by an individual or developer under Section 106 of the Town and Country Planning Act, 1990, to secure certain measures related to a planning permission.

PLANNING POLICY GUIDANCE (PPG) : guidance on a range of subjects issued by the Government.(Being replaced by PPSs)

PLANNING POLICY STATEMENT (PPS) : sets out the Government's national policies on different aspects of land use planning in England

REGIONAL PLANNING GUIDANCE (RPG) : guidance issued by the Government relating to the English Regions.

REGIONAL SPATIAL STRATEGY : part of the new Development Plan system which relates to the region and will provide a spatial framework to inform the preparation of Local Development Documents, Local Transport Plans and regional and sub-regional strategies and programmes that have a bearing on land use activities.

REGISTERED SOCIAL LANDLORD (RSL): non profit making friendly societies that provide and manage housing for people in need.

SECTION 106 AGREEMENT : see PLANNING OBLIGATION.

SHARED OWNERSHIP : whereby a property is part owned by the occupier and part rented from a REGISTERED SOCIAL LANDLORD, with the parts relating to a percentage of the property value.

STRUCTURE PLAN : a strategic planning document which forms part of the Development Plan; it sets out broad levels of growth for the County and contains policies on issues of County-wide significance but which does not identify specific sites for development or the precise boundaries of areas to be protected.

UNILATERAL UNDERTAKING : see PLANNING OBLIGATION.