

Affordable Housing on Rural Exception Sites



Cherwell
DISTRICT COUNCIL
North Oxfordshire



November 2006

**A Practical Guide for Parish Councils
Landowners and People in Housing Need**



Cherwell's first development of Affordable Homes on a Rural Exception Site completed in 1994 in Islip



Eight new Eco-friendly homes under construction in Fritwell - September 2006



Established Rural Exception Site Scheme in Deddington completed in 1999 comprising 23 homes

CONTENTS

Introduction and Foreword by Councillor Pickford

Rural Exception Policy

Progress on Rural Exception Site Schemes in the Cherwell District

A Step-by-Step Guide to Developing a Scheme

Meet the Parishes

Frequently Asked Questions

The Oxfordshire Rural Housing Partnership

Cherwell District Councils Partners

Further Information

Introduction

This practical guide explains how Cherwell District Council's Rural Exception Site Policy works and how it can be used to provide affordable housing to meet the needs of local people in rural communities.

Foreword by Cllr Pickford

In recent years, property prices in rural areas have spiralled out of the reach of the majority, notably affecting those entering on to the property ladder. This means that many local people are priced out of the housing market, and many people who work locally, and whose families have formed part of Cherwell's communities for generations are forced to live in towns and cities further away.

Rural parishes depend on new generations to preserve local schools, keep shops open, stimulate the local economy, and to work in key local services such as schools, hospitals, and emergency services. Even for parishes with few local services, new generations provide essential family and social ties for those people already living in the parish.

There is a way, however, to ensure that local people can stay in their community, and that is by building new affordable homes through Cherwell District Council's Rural Exception Site Policy. This means building on land on which planning policy would not normally permit development for open market sales. An 'exception' can be made through this policy for small groups of houses to be built by Housing Associations and offered first to local people to part buy or rent at discounted rates. The homes must also be sympathetically designed to fit in and enhance their surroundings. The process is only ever initiated, however, where a housing need has been demonstrated.



Councillor Debbie Pickford
Portfolio Holder for Housing at
Cherwell District Council

110 homes have already been built on Rural Exception Sites across the Cherwell District, and through our membership of the Oxfordshire Rural Housing Partnership, we hope to strengthen our relationship with the Housing Corporation to fund even more homes for local people. A Rural Housing Enabler post has also been part funded by the District Council to work with rural parishes, helping them through the complicated process of getting homes actually built.

Cherwell District Council is committed to providing affordable homes through this Exception Site Policy and to seeing a greater number of affordable homes built in the future. We cannot do this alone, however, and are dependent on Parish Councils and landowners coming forward to help identify a potential need in their parish. I hope this guide goes some way in explaining the process of developing affordable homes on Exception Sites, and that as many Parish Councils and landowners as possible contact the Rural Housing Enabler to facilitate this process in your parish.

Rural Exception Policy

The Background

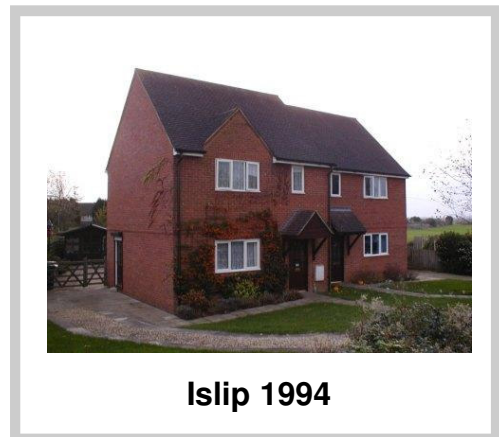
Since the mid 1990s, what is now the Department for Communities and Local Government (DCLG), has recognised the importance of having adequate housing provision in rural areas to meet the needs of local people and contribute to the delivery of sustainable communities. All Local Planning Authorities were advised to include a Rural Exception Site Policy in their Local Plans to assist the provision of affordable housing provision in rural areas where there is a genuine shortage of existing or new affordable homes becoming available for local people. Rural Exception sites should be small, solely for affordable housing and on land within or adjoining existing small rural communities which would not otherwise be released for general market housing. The affordable housing provided on such sites should meet local needs in perpetuity.

The District Council planning policies for Rural Exception Sites are Policy H6 in the adopted Cherwell Local Plan (1996) and Policy H8 in the non-statutory Cherwell Local Plan (2011).

Policy H8 says

Within or immediately adjacent to villages, planning permission may be granted for small-scale, low-cost housing development which is to help meet a specific and identified local housing need that cannot be satisfied elsewhere, provided that:

1. It can be demonstrated that the proposed development is economically viable in terms of its ability to meet the need identified
2. Secure arrangements are made to restrict the occupancy of the development to ensure that it continues to meet local needs in perpetuity.



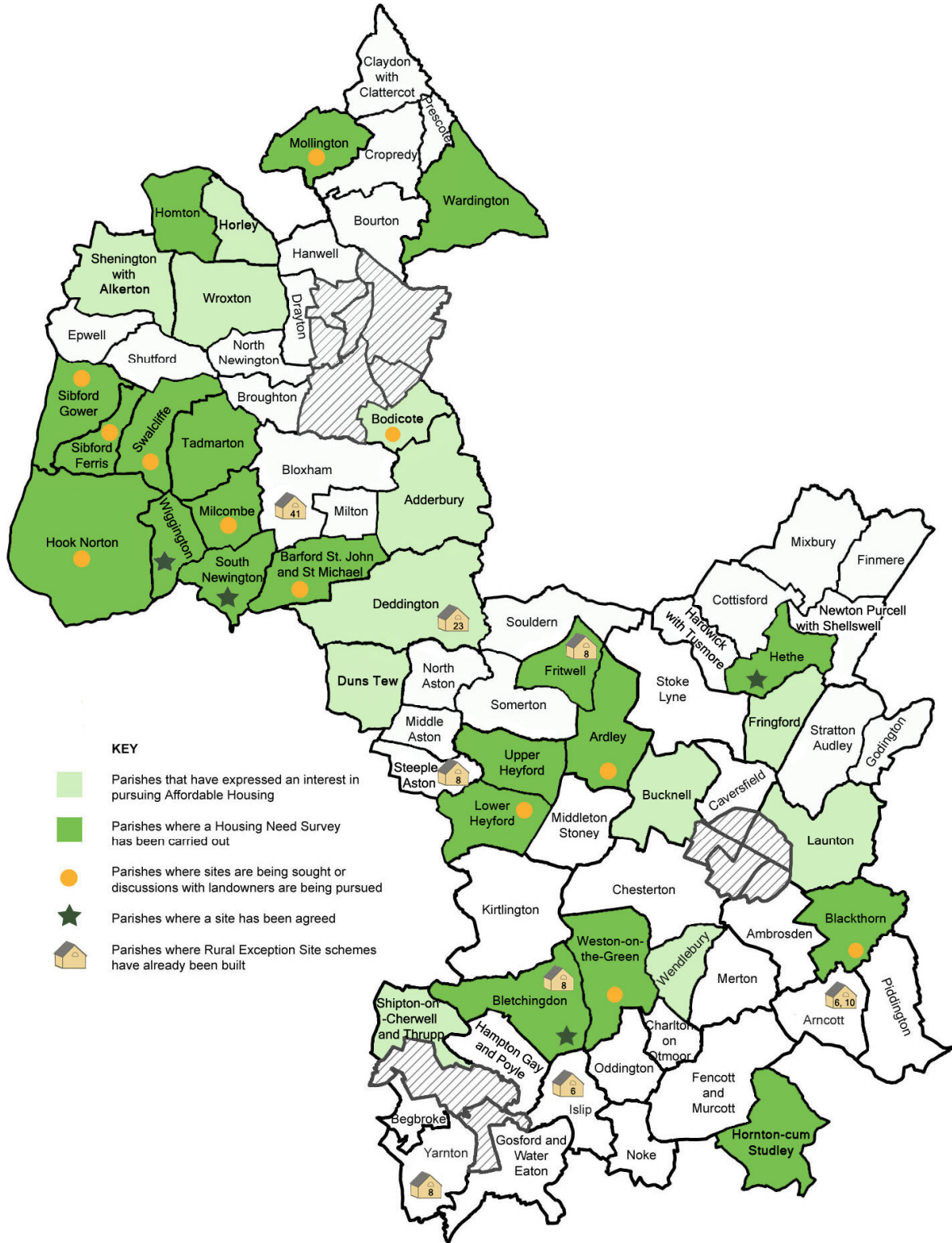
Islip 1994

While the policy allows exceptions to be made to the Council's strategic policies that restrict rural housing development, it will still be necessary in finding sites to comply with other policies in the plan, for instance, those that seek to protect the countryside and those relating to highway safety. Schemes should be small scale and reflect the character of the village.

What does Local mean?

In most cases, 'local' will include; current residence in the parish, previous periods of residence within the parish, local connections and family ties with the parish, and those in employment in the parish. This is normally secured through the Section 106 Agreement. This is a legal agreement entered into when planning permission is granted and which limits the occupancy of the homes for local people in perpetuity.

Progress on Rural Exception Site Schemes in the Cherwell District



A Step-by-Step Guide to Developing a Scheme

Contact the Rural Housing Enabler

The first stage in developing a rural affordable housing scheme is usually for a member of the Parish Council to contact the Rural Housing Enabler (see contacts at the back of this guide).

The Rural Housing Enabler is an employee of Oxfordshire Rural Community Council, and will be able to offer independent advice throughout the project.

The Rural Housing Enabler will assist the Parish Council in assessing the Housing Need within the community by carrying out a Housing Needs Survey.

Following the survey, the Rural Housing Enabler will advise the Parish Council how to take things forward should they wish to, and liaise on behalf of the community and Parish Council with all parties involved in the project such as Cherwell District Council and relevant Housing Associations.

The Rural Housing Enabler will stay involved in the project from the outset until the project is completed.

Assess the Need

Establishing the precise need for affordable housing is crucial for the District Council to designate individual sites as 'Exception Sites'.

The Rural Housing Enabler will assist the Parish in undertaking this Housing Needs Survey at no cost at all to the Parish Council. This survey is sent to every household in the parish, so as well as identifying the precise need for affordable housing, also asks the wider community for their views on this issue and determines whether there would be a support for a small scheme if a need was identified.

Need is 'means tested', but is also assessed against factors such as overcrowding, the state of repair of the existing home, homelessness, and the inability to afford the present accommodation. The 'need' can often be concealed from the Parish Council such as households who have already been forced to move away, households with older children living in the parental home, or households in tied or privately rented accommodation.

All applicants should have a clear and strong local connection with the parish.

Find a Site

It can be difficult to find a site which meets the requirements of Parish Council, Landowner Community, Housing Association, and which is also acceptable in Planning and Highway terms. Suggesting suitable sites is part of the Parish Council's role as they are more knowledgeable about the availability and ownership of land in the parish. The Parish Council may even own land themselves in the village...

It is important for the Parish Council or Rural Housing Enabler to discuss potential sites with the District Council at an early stage. This is because Exception Sites must still comply with other planning policies, for instance, those relating to highway safety, and those that seek to protect the countryside. Any development would also have to relate well in terms of size, character and location to the existing village and local environment.

As rural exception sites would not normally receive planning permission for development, the land is worth much less than 'prime site' development land. They are, however, valued higher than agricultural land so there is an incentive for landowners to release sites.

A Step-by-Step Guide to Developing a Scheme

Obtain Funding

Once a suitable site has been identified and agreed by all parties, including the landowner, the Housing Association who will ultimately be responsible for building and managing the homes, will then progress the feasibility of the site, including the instruction of architects and developers.

Whilst the lower cost of land helps to make the homes more affordable, other development costs remain resulting in the Housing Association needing to apply for funding from the Housing Corporation. This public subsidy covers part of the cost of a scheme with the remainder being covered by a loan taken out by the Housing Association. This is then repaid by income generated through the rental or part sale of the homes.

Under the framework of the Oxfordshire Rural Housing Partnership (ORHP), individual Exception Site projects in Oxfordshire are given an additional boost of Government/Housing Corporation capital. In March 2004, the ORHP was successful in obtaining £6.1 million. In March 2006 the ORHP was successful in obtaining a further £5.1 million to provide a further 104 new homes in Oxfordshire over the next two years.

Obtain Planning Permission

Planning applications have to be made to Cherwell District Council. They do not necessarily have to be supported by the Parish Council, but it is common for them to jointly submit the application with the Housing Association. This is owing to the Parish Council usually having been the driving force behind the development from the outset.

The Rural Housing Enabler will consult with the District Council's Planning Officers on behalf of the Parish Council as early as possible to establish whether the proposed Exception Site is feasible and likely to be granted planning permission. The Housing Association will prepare a number of scheme layouts and designs for the Parish Council to choose from to ensure that the scheme meets the Parish Council's expectations.

Before granting planning permission, a legal agreement will be sought which restricts occupancy of a development to households meeting the local-needs criteria. Any proposals must be shown to be economically viable and capable of proper management by a Housing Association or charitable trust to ensure control over occupancy in perpetuity.

Long Term Control of Houses

The District Council, though no longer a housing provider, remains in control of all allocations of potential occupiers to affordable housing in the district. All potential occupiers must, therefore, be on Cherwell District Council's Housing Register or must qualify for inclusion even if it is the shared ownership option they would qualify for.

Owing to the legal agreement signed at the point of granting Planning Permission (the Section 106 Agreement), all houses on an Exception Site remain affordable in perpetuity for local people who would not otherwise be able to afford a home in their parish. In the scenario that there were no eligible households for an affordable home with a local connection, the District Council would seek applicants from the neighbouring parishes. These parishes would be agreed within the Section 106 Agreement.

There is no Right to Acquire new homes built by Housing Associations in parishes with populations less than 3000. In the case of shared-ownership, households are restricted to purchasing 80% of the house, so that the Housing Association can retain control over future occupancies.

Meet the Parishes

“Although I am employed in Oxford, my life is centred around this area. I run locally and I teach evening classes in this area. The emphasis is rather that I go “away” to work and return (quite relieved) each evening....”

Comment from a resident in South Newington



Keith Campbell had lived in a neighbouring village to Islip for many years and his children had attended the village primary school. After his divorce, and sale

of his family home, Keith had to find somewhere else for him and his son to live. Being on a single salary, he was not able to take on a mortgage for a house on the open market, especially not in his own village. On registering with Cherwell District Council, he was then offered a new shared-ownership house in Islip, which meant that he could remain in his local area.

Lynne Stacey, Clerk to Steeple Aston Parish Council... “The input of the parish at the design stage was very important - we suggested that a more affordable re-constituted stone could be used instead of expensive natural Cotswold stone, or the default option which had been a yellow brick, which we felt to be totally unsuitable. We also discussed window styles, paint colours and site lighting and achieved a better, more Oxfordshire style than that proposed by the architect”.

Des O’Sullivan, Tenant, Steeple Aston... “I was living with my parents in the village until I married and moved into this house. I had previously looked into getting a mortgage to take on my gran’s house after she passed away, but it would have meant me taking on 5 full time jobs to have been able to afford it. Everyone living here on the Close I’ve known all my life and grown up with. It’s a quiet place, very quiet and trouble free – I think it’s very important to be able to live in the place you’ve been born and brought up in”.

“It is important that a village is a lively place with a variety of families, age ranges and occupations. We already find it difficult in Hethe to get villagers motivated to contribute to village life, and losing village - bred youngsters would make this much worse”.

Comment from a resident in Hethe

“A development is urgently needed before the village contains only senior citizens”.

Comment from a resident in Wigginton



“The role of the Clerk is to liaise with the Housing Association and others on behalf of the Parish Council, arrange meetings, keep parishioners informed of progress in the Village News and attempt to pacify anxious and frustrated applicants! This obviously creates extra work - especially for the Clerk - but once the groundwork has been done, the Housing Association, takes over the brunt of the work

liaising with planning officers, owners of the site, the developer and the like”. **Mrs Bickley, Clerk to Bletchington Parish Council**

Frequently Asked Questions

What is really meant by 'Local Connection'?

In most cases, 'local' will include current residence in the parish, previous periods of residence within the parish, local connections and family ties with the parish, and those in employment in the parish. This is normally secured through the Section 106 Agreement. This is a legal agreement that is secured in the sale and planning permission of the land limiting the occupancy of the homes for local people in perpetuity.

It is also important to remember that all applicants must also qualify for the District Council's Housing Register i.e. have proof that they cannot access private property to buy or rent in that immediate area.

What happens when there are more households in need with a local connection than homes available?

The District Council assess all applicants to the Housing Register in terms of their housing need. A cascade clause would be implemented so that those who meet the above criteria and have the most points would be given priority.

What happens if in 10 years time, a house becomes available but no-one in the village is in housing need?

The District Council would consider applicants from neighbouring parishes as agreed in the Section 106 agreement. Only if no applicants could be identified as being in housing need from these parishes would applicants be sought from the wider district area.

Therefore, it is not possible to guarantee that local homes will only ever be occupied by people from the same village, but, local people will always be considered first.

What is the point of building new affordable homes for rent or shared ownership for local people, when the tenants will buy them at a discount and sell them onto incomers for profit?

All new housing on Rural Exception Sites is exempt from the Right to Acquire. The legal agreement in the sale and planning permission of the site states that these homes will be available for local people in perpetuity.

This is a pretty village and affordable rented housing would be an eyesore. Why should we have our village spoilt?

The Oxfordshire Rural Housing Partnership comprises Housing Associations and architects committed to designing new homes sympathetically so that they blend in with the local character of the village. Close liaison with Planning Officers from an early stage also ensures good design. Try visiting one of their recent schemes in another village – you will probably be surprised to see the quality of the homes.

Why can't the Parish Council decide who gets the new homes? They know local people better than the District Council.

The Parish Council will not know about all applicants on the Housing Register who may be eligible for a home in their village, and many applicants will not want to disclose personal circumstances to people they may know in their village. It is also important that Parish Councils do not risk being accused of favouritism or prejudice. The Parish Council has an important role, however, in initiating the Housing Needs Survey, and encouraging and assisting all those who may be in need to get onto the District Councils waiting list.

The Oxfordshire Rural Housing Partnership



Founded in September 2003, the Oxfordshire Rural Housing Partnership (ORHP) was established to maximise the opportunities for rural communities across Oxfordshire to benefit from new housing and to assist people who cannot afford to buy or rent from the open market.

The ORHP was originated by the four rural Oxfordshire District Councils. They selected a consortium, consisting of Housing Associations who currently provide affordable housing in Oxfordshire, to develop and manage the new homes. In the Cherwell District, the associated Housing Associations are Oxford Citizens Housing Association and Charter Community Housing.

Together with the Oxfordshire Rural Community Council and with funding support from the Housing Corporation, the main objective of the ORHP is to deliver 500 new affordable homes in villages with a population of less

than 3000 over 5 years. The ORHP has selected a locally based Contractor and Consultants including architects with an understanding and experience of developing in rural localities and who have demonstrated a commitment to working with local communities to deliver new sustainable homes.

For more information, visit www.orhp.org.uk

Aims of the Partnership

- To provide high quality affordable homes which meet the needs of the people in rural communities
- To contribute to the development of strategies affecting rural housing within Oxfordshire
- To involve local communities in all aspects of the development and management of new homes
- To develop locally distinctive designs that respect the character of the local environment and that are flexible to meet changing circumstances
- To seek innovation and increased efficiency in the development process
- To increase the range of households which can be helped by offering options for rent and low cost home ownership
- To facilitate access to local training and employment opportunities in construction

Cherwell's Partners

Oxford Citizens Housing Association

Oxford Citizens was established in 1866 to provide affordable housing for people living in Oxford and its suburbs.

Today it is a diverse and progressive organisation, providing high quality homes and services to over 2,800 households all over Oxfordshire. These include general rented, supported and sheltered homes, as well as shared ownership properties for people taking their first step on the property ladder.

They also work with Ealing Family Housing Association and four local district councils to run the Oxford Social Lettings Agency, which provides short-term temporary accommodation.

Community development and regeneration are key features of their work, and they are one of only fourteen Housing Associations with the 'Investors in Community' accreditation.

For more information, visit
www.ocha.org.uk

Charter Community Housing

Charter Community Housing was formed from the housing department of Cherwell District Council in March 2004, when council homes transferred to the new organisation following a ballot of tenants.

The majority of the former housing department's staff also transferred to Charter Community Housing and continue to run the service. They have been supplemented by several members of staff, all of whom bring experience in managing housing associations.

Charter Community Housing has recently developed 'The Charterists Tenants' Panel, made up of local tenants interested in the future of affordable housing in the District. This was as a result of its desire to work with its tenants and leaseholders to ensure the service it delivers and the homes and communities it supports are the best they could possibly be.

For more information, visit
www.cchousing.co.uk

Oxfordshire Rural Community Council

ORCC is a registered charity founded in 1920, which brings together people who care about village life in Oxfordshire. ORCC works in partnership with all the District Councils, the County Council in Oxfordshire and has close links with a wide range of voluntary organisations and networks in the county.

ORCC believe that Oxfordshire's villages should be living, thriving, and inclusive communities with a mix of ages, incomes and occupations. Everyone in rural areas should have access to health, education, shops, local government services, information, and leisure facilities. ORCC aims to help improve the quality of life for all who live or work in villages, particularly those who are disadvantaged.

The two Rural Housing Enablers who are employed by ORCC work closely with their colleagues involved in the following areas: Village Shops, Rural Transport, Village Halls, Parish Action Plans, Village Newsletters, Community Groups, and Rural Policy. This background gives them a fuller appreciation and understanding of the villages they are assisting.

For more information, visit www.oxonrcc.org.uk

Further Information

If you would like to see a housing scheme developed for people in your village, please contact the Rural Housing Enabler:

James Alcock — Rural Housing Enabler

Email: james.alcock@oxonrcc.org.uk / Tel: 01865 883488

Oxfordshire Rural Community Council
Jericho Farm
Worton
Witney
Oxon OX29 4SZ
www.oxonrcc.org.uk



Your District Councillor may also have detailed knowledge of your area and the following Council Officers will be available to provide advice:

Mike Buxton - North Area Planning Officer

Email: mike.buxton@cherwell-dc.gov.uk / Tel: 01295 221811

Bob Duxbury - South Area Planning Officer

Email: bob.duxbury@cherwell-dc.gov.uk / Tel: 01295 221821

Gillian Greaves - Housing Services Manager

Email: gillian.greaves@cherwell-dc.gov.uk / Tel: 01295 221654

David Peckford - Senior Planning Officer

Email: david.peckford@cherwell-dc.gov.uk / Tel: 01295 221841

Allocation Team

Email: Housing@cherwell-dc.gov.uk / Tel: 01295 221809

Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 4AA

Tel: 01295 252535

