

## MISCELLANEOUS REPORT OF THE DEVELOPMENT MANAGEMENT LEAD AND HOUSING ENABLING LEAD.

### **Background**

At the Planning Committee of 22<sup>nd</sup> May, Members resolved that the following planning applications be reported back to committee with regard to the details of the Section 106 Agreement in relation to affordable housing:

14/12/0043 - OUTLINE APPLICATION FOR THE RESIDENTIAL DEVELOPMENT OF 44 NO DWELLING HOUSES, SCOUT HUT AND RECREATIONAL OPEN SPACE, DRAINAGE WORKS AND ASSOCIATED ACCESS AT LAND TO SOUTH OF HYDE LANE, CREECH ST MICHAEL AS AMENDED BY EMAILS DATED 28 FEBRUARY 2013 AND PLANS 100-B AND 101-B AND 3300A IN RESPECT OF THE ILLUSTRATION LAYOUT AS AMENDED

14/13/0006 - ERECTION OF 55 DWELLINGS, PROVISION OF SCHOOL CAR PARK, VEHICULAR ACCESS, PUBLIC OPEN SPACE AND ASSOCIATED WORKS ON LAND TO THE NORTH OF PRIMARY SCHOOL, HYDE LANE, CREECH ST MICHAEL

49/13/0015 - OUTLINE APPLICATION FOR THE ERECTION OF UP TO 71 DWELLINGS WITH ASSOCIATED ACCESS AND INFRASTRUCTURE ON LAND OFF BURGESS LANE, WIVELISCOMBE

This was in response to the comments of the Housing Enabling Lead on these three applications where it was stated that “a local connection clause is to be included in the S106 agreement to prioritise the homes for local people”.

### **Further comments of the Housing Enabling Lead**

A local connection clause ensures the parish that is having the impact of the development has the priority to access the affordable homes and contribute to absorbing their Parishes local housing need.

Including a local connection clause to the affordable homes helps sustain communities by offering local families, couples and single people the chance to stay living in the place where they have strong connections and contribute to the village but simply can not afford the local house prices.

The local people are probably already using the services. New homes for local people will often ensure that local services are maintained and a local work force retained.

This clause remains in perpetuity and therefore applies on first and subsequent relets ensuring local homes for local people.

To avoid empty properties in the event that no one with a local connection bids for the home the clause then cascades out to neighbouring parishes and then to the Homefinder Somerset / Homebuy list as appropriate. For each subsequent relet /sale the clause defaults back to the parish in the first instance.

Rented properties will be advertised through the choiced based lettings system 'Homefinder Somerset'. The system provides regular information to registered applicants on the available lettings in the area. It invites potential applicants to apply or 'bid' for properties for which they qualify.

The allocation is made using a point based system which will look at the housing needs of the local people who will apply. The order of priority would be Gold, Silver, Bronze applying the local connection. To exclude bronze band from within the local connection clause, could leave those in a recognised level of housing need with little or no housing option with in the community to which they have a local connection.

Those interested in shared ownership or discounted open market properties will need to register on the 'Homebuy list' and in the case of shared ownership also register with the housing association. For these intermediate properties they will also need to have sufficient finances in order to meet the commitment of owning their own home and be able to secure a mortgage for their share of the property. There is no prioritisation in terms of banding for the intermediate housing.

Prior to letting or selling the housing association, or in the case of the discounted open market housing, TDBC Housing Enabler, will ask for written evidence to support the applicants claim to a local connection.

As a local authority we are responsible for making sure housing needs are met and by incorporating a local connection clause this ensure the affordable homes are local houses for local people and provide a broader choice of homes within those communities.

## **Recommendation**

- 1 That the Section 106 Agreements for the following applications include a local connection clause:

14/12/0043 - OUTLINE APPLICATION FOR THE RESIDENTIAL DEVELOPMENT OF 44 NO DWELLING HOUSES, SCOUT HUT AND RECREATIONAL OPEN SPACE, DRAINAGE WORKS AND ASSOCIATED ACCESS AT LAND TO SOUTH OF HYDE LANE, CREECH ST MICHAEL AS AMENDED BY EMAILS DATED 28 FEBRUARY 2013 AND PLANS 100-B AND 101-B AND 3300A IN RESPECT OF THE ILLUSTRATION LAYOUT AS AMENDED

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- 2 That the affordable housing Local Connection Clause is incorporated into the Section 106 Agreements for any development proposal with affordable housing requirements other than in the Strategic Sites identified within the Core Strategy.

**Jo Humble**  
**Housing Enabling Lead**

**Bryn Kitching**  
**Development Management Lead**

## **The Local Connection Clause for Affordable Homes within Section 106 Agreements**

The local connection clause incorporated within Section 106 agreements for rural schemes is as follows :-

**Local Connection** means in relation to a person in need of Affordable Housing in order of priority

- (i) immediately prior to the allocation of an Affordable Housing Unit are ordinarily resident within the Parish of **xxxx**;
- (ii) have strong local connections with the Parish of **xxxx** including having a family association in the said parish and/or any periods of ordinary residence in the said parish not immediately before the date upon which any Affordable Housing Unit becomes vacant and/or such persons who have permanent employment in the Parish of **xxxxx**
- (iii) immediately prior to the allocation of an Affordable Housing Unit have been ordinarily resident within the adjoining parishes of **xxxxxxxx**
- (iv) In the case of Social Rented Housing any person registered on the Homefinder Somerset Register and in the event of there being no one available on the Homefinder Somerset Register any person approved in writing by the Council (such approval not to be unreasonably withheld)
- (v) In the case of the Intermediate Affordable Housing any person registered on the Homebuy Agent List and in the event of there being no-one available on the Homebuy Agent List any person approved in writing by the Council (such approval not to be unreasonably withheld)