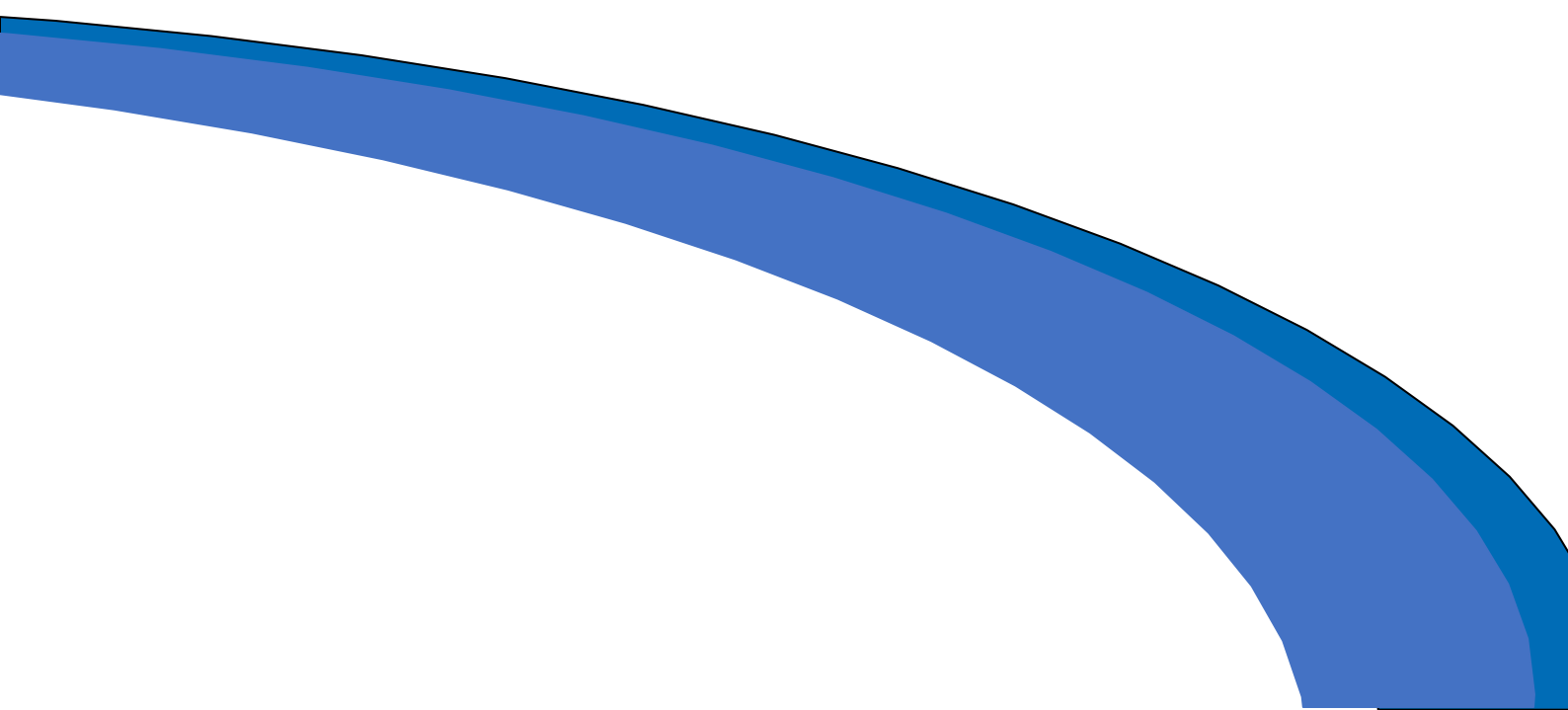


Appendices for Affordable Housing Proof of Evidence of James Stacey BA (Hons) Dip TP MRTPI

Land at Barkby Road, Queniborough



Appendices for Affordable Housing Proof of Evidence of James Stacey BA (Hons) Dip TP MRTPI

Outline application for up to 150 dwellings, together with new open space, landscaping and drainage infrastructure, with all matters reserved except for access.

Land at Barkby Road, Queniborough

David Wilson Homes

May 2023

PINS REF: APP/X2410/W/23/3316574

LPA REF: P/20/2380/2

OUR REF: M23/0408-01.RPT

TETLOW KING PLANNING
UNIT 2, ECLIPSE OFFICE PARK, HIGH STREET, STAPLE HILL, BRISTOL, BS16 5EL
Tel: 0117 9561916 Email: all@tetlow-king.co.uk

www.tetlow-king.co.uk

Appendices

- Appendix JS1 Area Maps
- Appendix JS2 Freedom of Information Correspondence (6 February 2023, 24 February 2023, 21 March 2023 and 9 May 2023)
- Appendix JS3 Extracts from Planning Practice Guidance (March 2014, Ongoing Updates)
- Appendix JS4 Independent Article (June 2020)
- Appendix JS5 Watt a Save by HBF – October 2022
- Appendix JS6 Summary of relevant SoS appeal decisions
- Appendix JS7 Summary of relevant Inspector appeal decisions

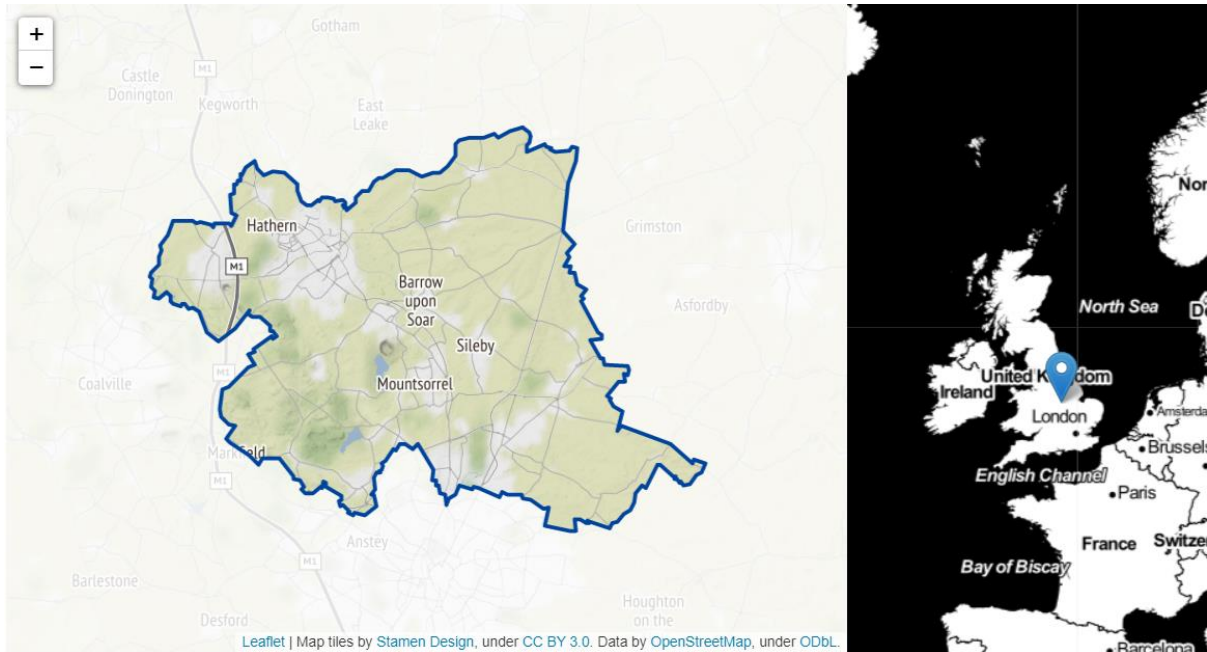
Appendix JS1

Area Maps



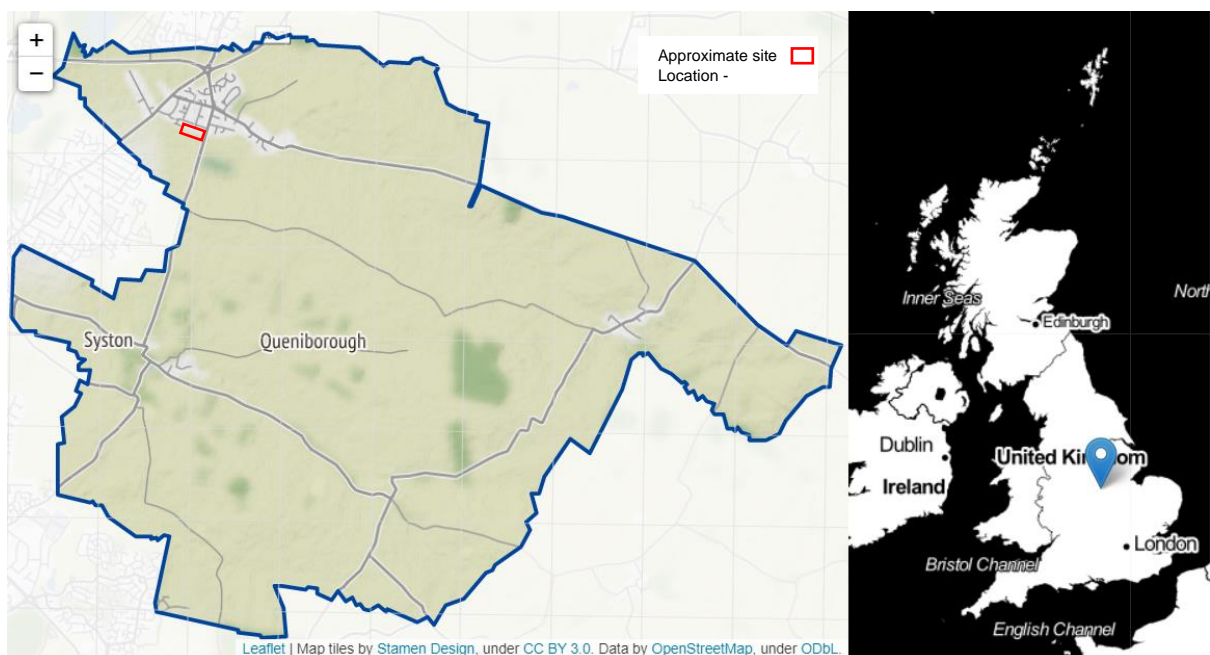
Appendix JS1: Area Maps

Map 1: Charnwood Borough Council Administrative Area (population of 182,817 residents in 2021, ONS Population Estimates)



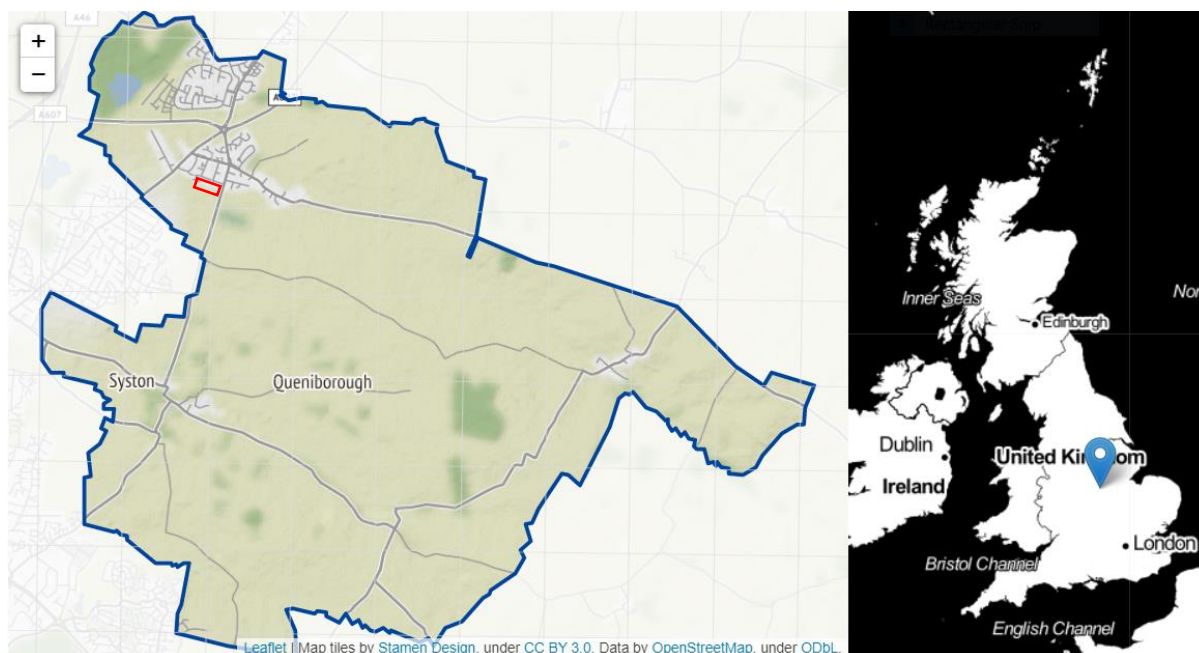
Source: <https://findthatpostcode.uk/> [Accessed 03 May 2023]

Map 2: Queniborough Ward (population of 4,535 residents in 2020, ONS Population Estimates)



Source: <https://findthatpostcode.uk/> [Accessed 03 May 2023]

Map 3: Middle Layer Super Output Area Charnwood 015 (population of 7,378 residents in 2020, ONS Population Estimates)



Source: <https://findthatpostcode.uk/> [Accessed 03 May 2023]

Map 4: Lower Layer Super Output Area Charnwood 015D (population of 1,774 residents in 2020, ONS Population Estimates)



Source: <https://findthatpostcode.uk/> [Accessed 03 May 2023]

Appendix JS2

Freedom of Information Correspondence (6 February 2023, 24 February 2023 and 21 March 2023)

Nathan Price

From: foi@charnwood.gov.uk
Sent: 21 March 2023 15:24
To: Nathan Price
Subject: RE: FOI Request (Our reference FOI 4209) received on 6th February 2023

Dear Mr Price,

I apologise for the delay in providing this further information.

Please see our response as follows:

1. The total number of households on the Council's Housing Register – **1174 as of 28/02/23**
2. The average waiting times for the following types of affordable property across the Authority – **We do not record this information**
3. The average waiting times for the following types of affordable property across the Authority – **We do not record this information**

9. Can the Council provide the number of households in Temporary Accommodation irrespective of whether they are on the Housing Register? – **133**

11 and 12 -

- Current housing commitments within Queniborough Parish for the period 2011 - 2023 are comprised of:
 - a. **P/14/0393/2 Land off Millstone Lane – delivering a total of 101 new homes, of which 30 units are affordable. I understand that the affordable units are now complete.**
 - b. **P/14/0708/2 & P/15/1799/2, P/16/2290/2 Land off Barkby Road – delivering a total of 175 new homes, of which 70 units will be affordable. I understand that the affordable units are now complete.**
- In terms of overall housing completions for Queniborough Parish during the period 2001 - 2022 our data indicates **379 units completed** (comprised of both large and small sites).

If you have any questions or concerns please contact us quoting the reference number above.

Kind Regards,

The Customer Experience Team

Email: foi@charnwood.gov.uk

Web: www.charnwood.gov.uk

Were you satisfied with the way you were treated today?



[Satisfied](#)

[Dissatisfied](#)



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Facebook: www.facebook.com/charnwoodbc

Our values



Pride in Charnwood



Working Together



Customer Focused

From: Nathan Price <nathan.price@tetlow-king.co.uk>

Sent: 27 February 2023 15:34

To: foi@charnwood.gov.uk

Subject: RE: FOI Request (Our reference FOI 4209) received on 6th February 2023

Thank you for your response,

- **Q1 to Q3:** Can the Council provide the current 'snapshot' as of the current date?
- **Q9:** Can the Council provide the number of households in Temporary Accommodation irrespective of whether they are on the Housing Register?
- **Q11 and Q13:** Can the Council revisit the response to Q11 and Q13 to identify Queniborough-specific completions data for open market and affordable housing?

Many thanks for your assistance,

Nathan Price BA (Hons) MSc
Assistant Planner
TETLOW KING PLANNING



E: nathan.price@tetlow-king.co.uk **T:** 0117 9561916 **M:** 07780 481839 **W:** tetlow-king.co.uk

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From: foi@charnwood.gov.uk <foi@charnwood.gov.uk>

Sent: Friday, February 24, 2023 11:02 AM

To: Nathan Price <nathan.price@tetlow-king.co.uk>

Subject: FOI Request (Our reference FOI 4209) received on 6th February 2023

Dear Nathan,

FOI Request (Our reference FOI 4209) received on 6th February 2023

I am writing in response to your request for information which has been dealt with under the Freedom of Information Act 2000 (“the Act”).

1. The total number of households on the Council's Housing Register at 31 March 2022.
2. The average waiting times at 31 March 2022 for the following types of affordable property across the Authority:
3. The average waiting times at 31 March 2021 for the following types of affordable property across the Authority:

In regards to Q 1 -3, I can confirm that we do hold the information requested. However, we have decided not to disclose it, on the basis of Section 12(1) of the Act – Cost of compliance exceeds appropriate limit. This is because the cost of disclosing the information requested would exceed the “appropriate limit” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. The appropriate limit is currently £450, based upon 18 hours staff time charged at a rate of £25 per hour.

The housing register waiting list only shows a snapshot of active application as of the current date. There is no function, aside from manually checking, to see how many applications were live on a given date. Therefore it would exceed the 18 hour timeframe to review each application to determine the number of applicants on the waiting list on the dates requested.

4. The total number of households on the Council's Housing Register at 31 March 2022 specifying the following locations as their preferred choice of location:

Location	Household Preferences (31 March 2022)
Queniborough Civil Parish	146

5. The average number of bids per property over the 2021/22 monitoring period for the following types of affordable property in the locations listed below:

Type of affordable property	Average Bids Per Property (1 April 2021 to 31 March 2022)
	Queniborough Civil Parish
1-bed affordable dwelling	37
2-bed affordable dwelling	23
3-bed affordable dwelling	19
4+ bed affordable dwelling	N/A

6. Any changes the Council has made to its Housing Register Allocations Policy since 2011 including:

- The date they occurred;

- What they entailed; and
- Copies of the respective documents

I can confirm that we do hold the information requested. However, we have decided not to disclose it, on the basis of Section 12(1) of the Act – Cost of compliance exceeds appropriate limit. This is because the cost of disclosing the information requested would exceed the “appropriate limit” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. The appropriate limit is currently £450, based upon 18 hours staff time charged at a rate of £25 per hour.

It would take over 18 hours to review each policy and identify all of the changes that were made.

Please find attached copies of the following documents:

- Housing Allocations Policy November 2010
- Cabinet report June 2013
- Housing Allocations Policy April 2014
- Cabinet report October 2017
- Delegated decision March 2019
- Housing Allocations Policy April 2019
- Delegated decision March 2020
- Housing Allocations Policy April 2020.

Social Housing Stock

7. The total number of social housing dwelling stock at 31 March 2022 in the following locations:

Location	Total Social Housing Stock (31 March 2022)
Queniborough Civil Parish	61

Social Housing Lettings

8. The number of social housing lettings in the period between 1 April 2020 and 31 March 2021; and between 1 April 2021 and 31 March 2022 in the following locations:

Location	Social Housing Lettings	
	1 April 2020 to 31 March 2021	1 April 2021 to 31 March 2022
Queniborough Civil Parish	18	7

Temporary Accommodation

9. The number of households on the Housing Register housed in temporary accommodation within and outside the Charnwood District Council region on the following dates:

I can confirm that we do hold the information requested. However, we have decided not to disclose it, on the basis of Section 12(1) of the Act – Cost of compliance exceeds appropriate limit. This is because the cost of disclosing the information requested would exceed the

“appropriate limit” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. The appropriate limit is currently £450, based upon 18 hours staff time charged at a rate of £25 per hour.

We would need to manually check all applications to assess when they were active and/or closed which would take in excess of 18 hours.

Housing Completions

10. The number of NET housing completions in the Charnwood District Council region broken down on a per annum basis for the period between 2000/01 and 2021/22. – **16571**

11. The number of NET affordable housing completions in the Charnwood District Council region broken down on a per annum basis for the period between 2000/01 and 2021/22. – **See below**

12. The number of NET housing completions in Queniborough Civil Parish broken down on a per annum basis for the period between 2000/01 and 2021/22. – **379**

13. The number of NET affordable housing completions in Queniborough Civil Parish broken down on a per annum basis for the period between 2000/01 and 2021/22.

In regards to Questions 11 and 13 The Borough Council does publish data from the past ten years through its annual Authority Monitoring Reports (AMRs). These can be found at the following link - <https://www.charnwood.gov.uk/pages/monitoringandresearch>. These include data for affordable housing delivery during the requested timeframe.

The information provided in response to Freedom of Information requests is subject to copyright protection. If you would like to re-use the information provided, please see the [re-use page](#) on our website.

If you are dissatisfied with the way in which your request has been handled, you can ask for an internal review. Where possible, we will try to resolve your concerns on an informal basis in the first instance. Internal review requests should be submitted within 40 working days from the date of our response. Please outline which part of the response you are not happy with, setting out your reasons along with any supporting evidence. A response will be provided within 20 working days.

Internal review requests should be submitted in writing to the Customer Experience Team by:
Email: foi@charnwood.gov.uk
Post: Charnwood Borough Council, Southfield Road, Loughborough, Leicestershire, LE11 2TU

If you remain dissatisfied with the handling of your request, you have the right to appeal to the Information Commissioner at:
Website: www.ico.gov.uk

If you have any questions or concerns please contact us quoting the reference number above.

Kind Regards,

The Customer Experience Team
Email: foi@charnwood.gov.uk



Web: www.charnwood.gov.uk

Keep in touch via our email alerts: www.charnwood.gov.uk/alerts

Twitter: @CharnwoodBC

Facebook: www.facebook.com/charnwoodbc

Our values



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Customer Focused

From: Nathan Price <nathan.price@tetlow-king.co.uk>

Sent: 06 February 2023 12:48

To: foi@charnwood.gov.uk

Subject: 4209 Freedom of Information Request - Housing Data

Dear Sir / Madam,

I hope this email finds you well. I write to you to make a request under the Freedom of Information Act 2000 in respect of housing matters in Queniborough Civil Parish, as well as the Charnwood District Council area.

Please see below the FOI request. Please let me know if you have any queries or require any clarification; I look forward to hearing from you within the relevant timescales.

Confirmation of receipt would be greatly appreciated.

Freedom of Information Request Below

Can you please provide the following data in line with the provisions of the Freedom of Information Act.

Questions 1 to 9 of this request relate to data held by the Housing Department.

Questions 10 to 13 of this request relate to data held by the Planning Department.

Housing Register

1. The total number of households on the Council's Housing Register at 31 March 2022.
2. The average waiting times at 31 March 2022 for the following types of affordable property across the Authority:

- a. 1-bed affordable dwelling;
- b. 2-bed affordable dwelling;
- c. 3-bed affordable dwelling; and
- d. A 4+ bed affordable dwelling.

3. The average waiting times at 31 March 2021 for the following types of affordable property across the Authority:

- a. 1-bed affordable dwelling;
- b. 2-bed affordable dwelling;
- c. 3-bed affordable dwelling; and
- d. A 4+ bed affordable dwelling.

4. The total number of households on the Council's Housing Register at 31 March 2022 specifying the following locations as their preferred choice of location:

Location	Household Preferences (31 March 2022)
Queniborough Civil Parish	

5. The average number of bids per property over the 2021/22 monitoring period for the following types of affordable property in the locations listed below:

Type of affordable property	Average Bids Per Property (1 April 2021 to 31 March 2022)
	Queniborough Civil Parish
1-bed affordable dwelling	
2-bed affordable dwelling	
3-bed affordable dwelling	
4+ bed affordable dwelling	

6. Any changes the Council has made to its Housing Register Allocations Policy since 2011 including:

- The date they occurred;
- What they entailed; and
- Copies of the respective documents

Social Housing Stock

7. The total number of social housing dwelling stock at 31 March 2022 in the following locations:

Location	Total Social Housing Stock (31 March 2022)
Queniborough Civil Parish	

Social Housing Lettings

8. The number of social housing lettings in the period between 1 April 2020 and 31 March 2021; and between 1 April 2021 and 31 March 2022 in the following locations:

Location	Social Housing Lettings	
	1 April 2020 to 31 March 2021	1 April 2021 to 31 March 2022
Queniborough Civil Parish		

Temporary Accommodation

9. The number of households on the Housing Register housed in temporary accommodation within and outside the Charnwood District Council region on the following dates:

Households in Temporary Accommodation	31 March 21	31 March 22
Households Housed within Charnwood District Council		
Households Housed outside Charnwood District Council		
Total Households		

Housing Completions

10. The number of NET housing completions in the Charnwood District Council region broken down on a per annum basis for the period between 2000/01 and 2021/22.

11. The number of NET affordable housing completions in the Charnwood District Council region broken down on a per annum basis for the period between 2000/01 and 2021/22.

12. The number of NET housing completions in Queniborough Civil Parish broken down on a per annum basis for the period between 2000/01 and 2021/22.

13. The number of NET affordable housing completions in Queniborough Civil Parish broken down on a per annum basis for the period between 2000/01 and 2021/22.

Glossary of Terms

Housing Register	The housing register is a waiting list of households in a given authority area who are eligible and in need of an affordable home.
Affordable Property	Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions: <ul style="list-style-type: none"> a) Affordable housing for rent b) Starter Homes c) Discounted market sales housing; and d) Other affordable routes to home ownership.^[1]
Housing Completion	A dwelling is counted as completed when construction has ceased, and it becomes ready for occupation. This includes new build dwellings, conversions, changes of use and redevelopments. Housing completions should be provided as net figures.
Net	Net refers to total (gross) figures minus any deductions (for example, through demolitions).

Monitoring Period	From 1 April in any given calendar year through until 31 March in the following calendar year.
Prevention Duty	The prevention duty applies when a local authority is satisfied that an applicant is threatened with homelessness and eligible for assistance.
Relief Duty	The relief duty applies when a local authority is satisfied that an applicant is homeless and eligible for assistance.
Parish	The smallest unit of local government.
Ward	A division of a city or town, for representative, electoral, or administrative purposes.

^[1] As defined by Annex 2 of the National Planning Policy Framework (2021) which can be viewed [here](#).

I look forward to hearing from you. If there are any issues with providing any of the data then please get in touch.

Nathan Price BA (Hons) MSc
Assistant Planner
TETLOW KING PLANNING



Unit 2, Eclipse Office Park, High Street, Staple Hill, Bristol, BS16 5EL

E: nathan.price@tetlow-king.co.uk
T: 0117 9561916
M: 07780 481839
W: tetlow-king.co.uk



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^[1] As defined by Annex 2 of the National Planning Policy Framework (2021) which can be viewed [here](#).

Nathan Price

From: foi@charnwood.gov.uk
Sent: 24 February 2023 11:02
To: Nathan Price
Subject: FOI Request (Our reference FOI 4209) received on 6th February 2023
Attachments: Cab 06 June 2013 Item 13 Review of Allocations Policy.pdf; Housing Allocations Policy - April 2014.pdf; Cab 19 October 2017 Item 06 Review of Allocations Policy.pdf; DD065 - Amendments to Housing Allocations Policy - March 2019.pdf; Housing Allocations Policy - April 2019.pdf; DD065 - Amendments to Housing Allocations Policy - March 2020.pdf; Housing Allocations Policy - April 2020.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Nathan,

FOI Request (Our reference FOI 4209) received on 6th February 2023

I am writing in response to your request for information which has been dealt with under the Freedom of Information Act 2000 ("the Act").

1. The total number of households on the Council's Housing Register at 31 March 2022.
2. The average waiting times at 31 March 2022 for the following types of affordable property across the Authority:
3. The average waiting times at 31 March 2021 for the following types of affordable property across the Authority:

In regards to Q 1 -3, I can confirm that we do hold the information requested. However, we have decided not to disclose it, on the basis of Section 12(1) of the Act – Cost of compliance exceeds appropriate limit. This is because the cost of disclosing the information requested would exceed the “appropriate limit” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. The appropriate limit is currently £450, based upon 18 hours staff time charged at a rate of £25 per hour.

The housing register waiting list only shows a snapshot of active application as of the current date. There is no function, aside from manually checking, to see how many applications were live on a given date. Therefore it would exceed the 18 hour timeframe to review each application to determine the number of applicants on the waiting list on the dates requested.

4. The total number of households on the Council's Housing Register at 31 March 2022 specifying the following locations as their preferred choice of location:

Location	Household Preferences (31 March 2022)
Queniborough Civil Parish	146

5. The average number of bids per property over the 2021/22 monitoring period for the following types of affordable property in the locations listed below:

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6. Any changes the Council has made to its Housing Register Allocations Policy since 2011 including:

- The date they occurred;
- What they entailed; and
- Copies of the respective documents

I can confirm that we do hold the information requested. However, we have decided not to disclose it, on the basis of Section 12(1) of the Act – Cost of compliance exceeds appropriate limit. This is because the cost of disclosing the information requested would exceed the “appropriate limit” as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. The appropriate limit is currently £450, based upon 18 hours staff time charged at a rate of £25 per hour.

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- **Housing Allocations Policy April 2019**
- **Delegated decision March 2020**
- **Housing Allocations Policy April 2020.**

Social Housing Stock

7. The total number of social housing dwelling stock at 31 March 2022 in the following locations:

Location	Total Social Housing Stock (31 March 2022)
Queniborough Civil Parish	61

Social Housing Lettings

8. The number of social housing lettings in the period between 1 April 2020 and 31 March 2021; and between 1 April 2021 and 31 March 2022 in the following locations:

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	1 April 2020 to 31 March 2021	1 April 2021 to 31 March 2022
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Housing Completions

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11. The number of NET affordable housing completions in the Charnwood District Council region broken down on a per annum basis for the period between 2000/01 and 2021/22. – **See below**

12. The number of NET housing completions in Queniborough Civil Parish broken down on a per annum basis for the period between 2000/01 and 2021/22. – **379**

13. The number of NET affordable housing completions in Queniborough Civil Parish broken down on a per annum basis for the period between 2000/01 and 2021/22.

In regards to Questions 11 and 13 The Borough Council does publish data from the past ten years through its annual Authority Monitoring Reports (AMRs). These can be found at the following link - <https://www.charnwood.gov.uk/pages/monitoringandresearch>. These include data for affordable housing delivery during the requested timeframe.

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If you are dissatisfied with the way in which your request has been handled, you can ask for an internal review. Where possible, we will try to resolve your concerns on an informal basis in the first instance. Internal review requests should be submitted within 40 working days from the date of our response. Please outline which part of the response you are not happy with, setting out your reasons along with any supporting evidence. A response will be provided within 20 working days.

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Post: Charnwood Borough Council, Southfield Road, Loughborough, Leicestershire, LE11 2TU

If you remain dissatisfied with the handling of your request, you have the right to appeal to the Information Commissioner at:
Website: www.ico.gov.uk

If you have any questions or concerns please contact us quoting the reference number above.

Kind Regards,



The Customer Experience Team

Email: foi@charnwood.gov.uk

Web: www.charnwood.gov.uk

Keep in touch via our email alerts: www.charnwood.gov.uk/alerts

Twitter: [@CharnwoodBC](https://twitter.com/CharnwoodBC)

Facebook: www.facebook.com/charnwoodbc

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Customer Focused

From: Nathan Price <nathan.price@tetlow-king.co.uk>
Sent: 06 February 2023 12:48
To: foi@charnwood.gov.uk
Subject: 4209 Freedom of Information Request - Housing Data

Dear Sir / Madam,

I hope this email finds you well. I write to you to make a request under the Freedom of Information Act 2000 in respect of housing matters in Queniborough Civil Parish, as well as the Charnwood District Council area.

Please see below the FOI request. Please let me know if you have any queries or require any clarification; I look forward to hearing from you within the relevant timescales.

Confirmation of receipt would be greatly appreciated.

Freedom of Information Request Below

Can you please provide the following data in line with the provisions of the Freedom of Information Act.

Questions 1 to 9 of this request relate to data held by the Housing Department.
 Questions 10 to 13 of this request relate to data held by the Planning Department.

Housing Register

1. The total number of households on the Council's Housing Register at 31 March 2022.
2. The average waiting times at 31 March 2022 for the following types of affordable property across the Authority:
 - a. 1-bed affordable dwelling;
 - b. 2-bed affordable dwelling;
 - c. 3-bed affordable dwelling; and
 - d. A 4+ bed affordable dwelling.
3. The average waiting times at 31 March 2021 for the following types of affordable property across the Authority:
 - a. 1-bed affordable dwelling;
 - b. 2-bed affordable dwelling;
 - c. 3-bed affordable dwelling; and
 - d. A 4+ bed affordable dwelling.
4. The total number of households on the Council's Housing Register at 31 March 2022 specifying the following locations as their preferred choice of location:

Location	Household Preferences (31 March 2022)
Queniborough Civil Parish	

5. The average number of bids per property over the 2021/22 monitoring period for the following types of affordable property in the locations listed below:

Type of affordable property	Average Bids Per Property (1 April 2021 to 31 March 2022)
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1-bed affordable dwelling	
2-bed affordable dwelling	
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6. Any changes the Council has made to its Housing Register Allocations Policy since 2011 including:

- The date they occurred;
- What they entailed; and
- Copies of the respective documents

Social Housing Stock

7. The total number of social housing dwelling stock at 31 March 2022 in the following locations:

Location	Total Social Housing Stock (31 March 2022)
Queniborough Civil Parish	

Social Housing Lettings

8. The number of social housing lettings in the period between 1 April 2020 and 31 March 2021; and between 1 April 2021 and 31 March 2022 in the following locations:

Location	Social Housing Lettings	
	1 April 2020 to 31 March 2021	1 April 2021 to 31 March 2022
Queniborough Civil Parish		

Temporary Accommodation

9. The number of households on the Housing Register housed in temporary accommodation within and outside the Charnwood District Council region on the following dates:

Households in Temporary Accommodation	31 March 21	31 March 22
Households Housed within Charnwood District Council		
Households Housed outside Charnwood District Council		
Total Households		

Housing Completions

10. The number of NET housing completions in the Charnwood District Council region broken down on a per annum basis for the period between 2000/01 and 2021/22.

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13. The number of NET affordable housing completions in Queniborough Civil Parish broken down on a per annum basis for the period between 2000/01 and 2021/22.

Glossary of Terms

Housing Register	The housing register is a waiting list of households in a given authority area who are eligible and in need of an affordable home.
Affordable Property	Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions: <ul style="list-style-type: none"> a) Affordable housing for rent b) Starter Homes c) Discounted market sales housing; and d) Other affordable routes to home ownership.^[1]
Housing Completion	A dwelling is counted as completed when construction has ceased, and it becomes ready for occupation. This includes new build dwellings, conversions, changes of use and redevelopments. Housing completions should be provided as net figures.
Net	Net refers to total (gross) figures minus any deductions (for example, through demolitions).
Monitoring Period	From 1 April in any given calendar year through until 31 March in the following calendar year.
Prevention Duty	The prevention duty applies when a local authority is satisfied that an applicant is threatened with homelessness and eligible for assistance.
Relief Duty	The relief duty applies when a local authority is satisfied that an applicant is homeless and eligible for assistance.
Parish	The smallest unit of local government.
Ward	A division of a city or town, for representative, electoral, or administrative purposes.

^[1] As defined by Annex 2 of the National Planning Policy Framework (2021) which can be viewed [here](#).

I look forward to hearing from you. If there are any issues with providing any of the data then please get in touch.

Nathan Price BA (Hons) MSc
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^[1] As defined by Annex 2 of the National Planning Policy Framework (2021) which can be viewed [here](#).

Conor Layton

From: Conor Layton
Sent: 09 May 2023 15:50
To: Conor Layton
Subject: FW: FOI Request (Our reference FOI 4209) received on 6th February 2023
Attachments: Data for FOI 4209 - housing completions, affordable and Queniborough.xlsx

From: foi@charnwood.gov.uk <foi@charnwood.gov.uk>
Sent: Tuesday, May 9, 2023 12:40 PM
To: Nathan Price <nathan.price@tetlow-king.co.uk>
Subject: RE: FOI Request (Our reference FOI 4209) received on 6th February 2023

Dear Nathan,

Further to your email below I can now provide further information in relation to your FOI request. See attached updated figures.

The Council do not have a breakdown for affordable completions for the Borough before 2004/05 or for Queniborough before 2008/09.

Please note the housing completions figures for the Borough and Queniborough on the attached are different to the figures sent in response to Q10 and Q12 below. This is because the figures didn't include the 2000/01 data. The attached spreadsheet includes 2000/01 data.

If you have any questions or concerns please contact us quoting the reference number above.



Kind Regards,

Customer Experience Team

Email: FOI@charnwood.gov.uk

Web: www.charnwood.gov.uk

Were you satisfied with the way you were treated today?



[Satisfied](#)



[Dissatisfied](#)

Keep in touch via our email alerts: www.charnwood.gov.uk/alerts

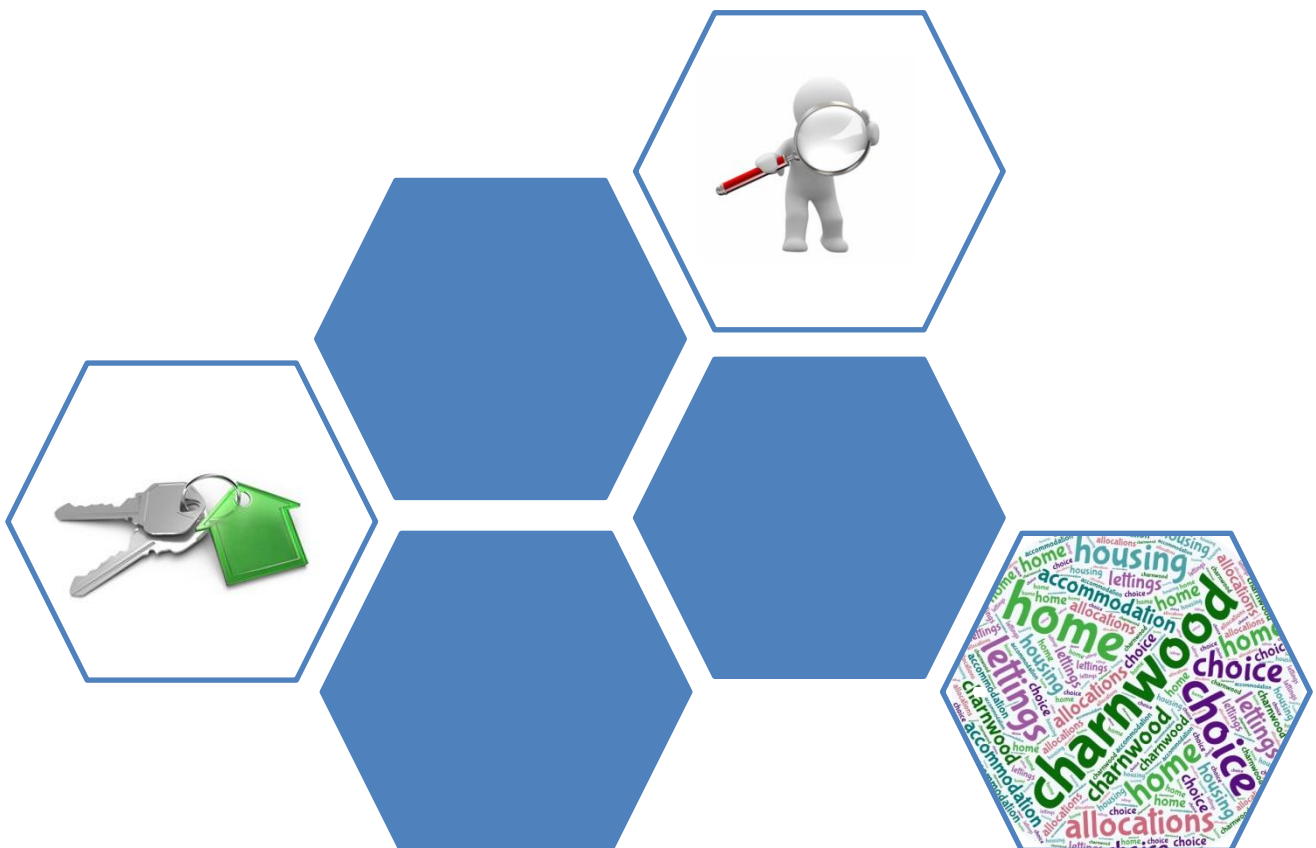
Twitter: @CharnwoodBC **Facebook:** www.facebook.com/charnwoodbc

	Housing completions in Borough (Q10)	Affordable completions in Borough (Q11)	Housing completions in Queniborough (Q12)	Affordable housing completions in Queniborough (Q13)
2000/01	442		6	
2001/02	450		8	
2002/03	366		8	
2003/04	904		16	
2004/05	912	36	7	
2005/06	705	133	1	
2006/07	967	106	8	
2007/08	924	85	4	
2008/09	713	131	0	0
2009/10	644	152	0	0
2010/11	562	201	17	0
2011/12	697	202	1	0
2012/13	503	99	6	0
2013/14	602	151	1	0
2014/15	723	155	7	0
2015/16	831	181	15	3
2016/17	943	180	58	18
2017/18	1,107	253	79	16
2018/19	1,117	189	58	20
2019/20	993	199	38	18
2020/21	1,116	213	47	25
2021/22	792	76	0	0
TOTAL	17,013	2,742	385	100



Housing Allocations Policy

April 2020



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This Housing Allocations Policy outlines how Charnwood Borough Council will assess applications for housing, determine eligibility, qualification and level of housing need, prioritise applications and allocate accommodation.

In developing this Policy, the Council has taken into consideration the Housing Act 1996 and other relevant legislation, regulations and guidance (see Appendix 1 for more information).

This Policy is consistent with the Council's Tenancy Strategy, Housing Strategy and Homelessness Strategy.

In developing this Policy the Council consulted with staff, Registered Providers of Social Housing (formerly known as Housing Associations) within Charnwood, local voluntary and statutory agencies, elected members, Council tenants and housing applicants.

The Council's objectives for the Housing Allocations scheme are to:

- Provide an accessible, fair and transparent service
- Meet local housing needs
- Meet the housing needs of the most vulnerable
- Prioritise those with the greatest/most urgent housing needs
- Make the best use of existing social housing stock
- Support safe and sustainable communities
- Offer applicants choice in relation to available accommodation.

The Council operates a Choice Based Lettings Scheme under which applicants are able to express preference for available properties by applying (or bidding) for advertised properties.

The Council seeks to give all applicants choice in relation to accommodation but may have to limit choice in certain circumstances, such as where there is limited availability or where the Council is discharging a statutory duty to a homeless household.

Letting of Council properties and nominations to Registered Provider properties within Charnwood are covered by this Housing Allocation Policy. This includes general needs accommodation for single persons, couples and families and sheltered accommodation for older persons.

The following types of allocation are **not** covered by this Policy:

- Tenancy successions
- Tenancy assignments, such as mutual exchanges
- Tenancy status changes, such as introductory to secure tenancies
- Tenancy transfers pursuant to Court Orders
- Management Allocations, such as:
 - Joint to sole or sole to joint tenancies
 - Temporary lettings to existing Council tenants who need to be decanted pending major refurbishment or repair works
 - Temporary lettings to homeless households
 - Where there is a legal requirement to offer accommodation to a household following a compulsory purchase of a property
 - Where there is a legal requirement to offer accommodation to a displaced agricultural worker under the Rent (Agriculture) Act 1976.

Allocations to the following types of accommodation are **not** covered by this Policy:

- Supported Housing schemes (applicants for this type of accommodation will be signposted or referred to Adult Social Care/the relevant Supported Accommodation Provider)
- Extra Care Housing schemes (applicants for this type of accommodation will be signposted or referred to Adult Social Care/the relevant Extra Care Accommodation Provider)
- Affordable Home Ownership schemes (applicants for this type of accommodation will be signposted or referred to the local Help to Buy Agent).

The Council promotes equal opportunities and aims to implement and maintain services that ensure no applicant is treated unfairly on the grounds of age, gender identity, marital status, pregnancy or maternity, sexual orientation, race, religious belief or disability or disadvantaged by the application of criteria that has a direct or indirect discriminatory effect that cannot be justified by law.

Advice and assistance is available to ensure that the Allocations Policy and Choice Based Lettings scheme are accessible for all applicants. Assistance can be provided to applicants who are unable to search or bid for properties as a result of a disability or assessed vulnerability if required. Information can be translated or made available in different formats, such as large print, upon request if required.

Personal information that the Council hold in relation to applications will be processed in accordance with Data Protection legislation. Information may need to be disclosed to Registered Providers or other landlords who may be able offer accommodation. More information about how and why the Council may process personal data, data protection rights or how to contact the Council's Data Protection Officer is available in the Council's Privacy Notice, accessible on the Council's website.

The Council maintains a Housing Register of households who are applying for Council or Registered Provider properties within Charnwood.

An individual can only be included on one active application at any one time, either as a main or joint applicant or as a member or another applicant's household.

All applicants must complete the Charnwood Choice Based Lettings Housing Application Form. The information included on the application form must be accurate. Applicants will be required to provide documentary evidence to support the information on their application and demonstrate that they have a housing need, for example proof of identity, address, income, savings and custody/access to children.

Applicants who have indicated that they have a medical, mobility, welfare or hardship need will be required to provide supporting evidence and may need to be referred to an appropriate agency for an assessment.

The Council may make any further enquiries it deems necessary in order to confirm the information provided on an application, such as contacting current or previous landlords, the Police or support workers. Applicants may be required to provide further information and evidence in relation to their circumstances.

The Council's Allocations Team will assess completed applications and the supporting evidence provided and will decide whether the applicant qualifies for the register, which Banding is applicable to their circumstances and the type of properties they are eligible for. Incomplete applications will not be assessed and will be cancelled after 28 days.

If an applicant is accepted onto the Housing Register, the applicant will be notified of the Band their application has been placed in, the properties they are eligible for and how to bid for properties. If an applicant is refused entry to the Housing Register, the applicant will be notified that their application has been refused and of the reasons for the refusal.

Applicants must notify the Council of any relevant change in their circumstances. Following notification of a change in circumstances, the application will be reassessed and may be moved from one Band to another or removed from the Register. Applicants will be notified of the outcome of any reassessments.

Applicants will be periodically contacted and asked to confirm whether they wish to remain on the Housing Register and whether their circumstances have changed. Applicants must respond to such requests within a specified time period (normally 28 days). Failure to respond within the specified time period will result in the application being cancelled.

If at any time the Council receives evidence that an applicant who has already been accepted onto the Housing Register no longer qualifies, the applicant will be notified that their application has been cancelled and of the reasons for the cancellation.

It is a criminal offence for an applicant to knowingly or recklessly provide false information, withhold information or allow a third party to provide false information on their behalf in relation to a Housing Register application. Such an offence could result in prosecution and an unlimited fine. If an applicant provides false information, withholds information or allows a third party to provide false information on their behalf, the Council reserves the right to disqualify the applicant from the register, withdraw any offer of accommodation and recover possession of any tenancy obtained.

Application Types

Any applicant who does not hold an introductory, secure, starter or full assured or fixed-term tenancy with a Council or Registered Provider will be regarded as a new applicant.

Any existing social housing tenant who holds an introductory, secure, starter, full assured or fixed-term flexible tenancy with a Council or Registered Provider will be regarded as a transfer applicant. Social housing tenants can only make a joint transfer application if both applicants currently hold a joint tenancy. Social housing tenants who currently hold a joint tenancy can only make an application to transfer their tenancy if both tenants will be moving together.

Adverts

Vacant properties are advertised on the Council's Choice Based Lettings System. Adverts will contain information about the property and the applicable eligibility criteria.

The Choice Based Lettings System may include information about other affordable housing options within Charnwood, such as affordable Private Rental properties and Affordable Home Ownership.

Bidding for Properties

Applicants can express an interest in available properties by placing bids through the Choice Based Lettings System. Applicants can bid for up to 2 properties in every bidding cycle. Applicants may place and withdraw bids at any time during a bidding cycle. Applicants will **not** be able to place bids after a bidding cycle has closed.

Assistance can be provided to applicants who are unable to search for properties or place bids themselves. Applicants can contact the Council if they need such assistance.

Bidding Restrictions

Eligibility criteria will apply to each property that is advertised and applicants will only be able to place bids for properties for which they are eligible.

Eligibility for some properties may be restricted by:

- Application type (transfer application or new application)
- Application Banding (Band 1, Band 2 or Band 3)
- Household type
- Household size
- Age of applicant and/or other household members
- Support need (such as older person's sheltered accommodation schemes)
- Medical, mobility or adaptation need (such as wheelchair standard properties).

Minimum age criteria apply to some advertised properties. Examples include:

- Minimum age criteria for older person's sheltered accommodation schemes
- Minimum age criteria for properties that may be unsuitable for young children, such as duplex flats.

Applicants will normally only be eligible to bid for properties if they meet the applicable age criteria or have a specialist need for the accommodation that cannot be met within available non-age restricted properties.

Some advertised properties are restricted to certain types of household. Examples include:

- Bedsits will normally be restricted to single persons
- Houses with 2 or more bedrooms will normally be restricted to households containing dependent children

- Properties within older person's sheltered accommodation schemes will normally be restricted to applicants who are above the age of 60 years and where all members of the applicant's household are above the age of 45 years and are suitable for older person's sheltered accommodation schemes
- Wheelchair standard properties will normally be restricted to households that contain a wheelchair user.

In exceptional circumstances other household types may be permitted to bid for restricted properties, for example households that do not contain any dependent children but have a specialist need that cannot be met within other available properties may be permitted to bid for family houses.

Applicants who have been permitted to join the Housing Register because they are above the age of 60 years and qualify for older persons' sheltered accommodation schemes (who would not otherwise qualify for the register) will only be eligible to bid for properties within older persons' sheltered accommodation schemes.

Household Members and Bedroom Eligibility

Set criteria will be used to determine the number of bedrooms an applicant is eligible to bid for, taking into account the number and ages of all "permanent" members of the applicant's household (see Appendix 2 for further details).

Any adult who resides with the applicant, where the accommodation is their main and principle home, will be classed as a permanent household member.

Any child below the age of 18 who resides with the applicant for at least 4 nights per week will be classed as a permanent household member. In exceptional circumstances, a child who does **not** reside with the applicant for at least 4 nights per week may be classed as a permanent household member, such as where the child is residing elsewhere on a temporary basis but their permanent home is with the applicant. Any unborn child will be classed as a permanent household member and taken into account when assessing bedroom eligibility once the expected delivery date is within the next 3 months.

In cases where child custody is shared between 2 parents, the child will only be classed as a permanent household member if the applicant is the child's primary carer. Applicants who have access to children (i.e. children who stay with them overnight on a regular basis for at least 2 nights per week who are not classed as permanent household members) will be permitted to bid for 2 bedroom flats. These applicants will not normally be permitted to bid for 2 bedroom houses or for larger properties, regardless of how many children they have access to. Applicants will be required to provide proof of child access/custody

arrangements, such as a letter from the other parent/guardian, a social worker or solicitor or a copy of a relevant court order.

Where there is evidence that additional bedrooms are required, the applicant may be permitted to bid for larger properties. Examples include:

- Where the applicant is a prospective foster carer and requires an additional bedroom in order to foster a child (proof that Social Services have approved the applicant as a foster carer subject to the availability of suitably sized accommodation will be required)
- Where the applicant has a need for an additional bedroom for an overnight carer on either a permanent or casual basis (proof of the applicant's need for an overnight carer will be required)
- Where the applicant has a medical or welfare need for an additional bedroom
- Where a member of the applicant's household is in full-time education or is serving in the armed forces and does not reside with the applicant throughout the year, but their permanent home is with the applicant.

Due to limited availability, families with 5 or more children may be given preference over smaller eligible households for properties with 4 or more bedrooms.

Local Lettings Policies

In exceptional circumstances, the Council may develop Local Lettings Policies for specific properties or areas, in order to meet local housing need or support the development of balanced and sustainable communities. Local Lettings Policies include criteria that are designed to address specific issues or needs. Examples of these criteria include:

- Village or Parish Connection
- Age
- Behaviour.

Clear evidence of the need to vary the usual Policy will be required before a decision to introduce a Local Lettings Policy can be made. Consideration will always be given to the implications of a Local Lettings Policy for equal opportunities and the statutory 'reasonable preference' criteria. Local Lettings Policies will be reviewed and removed once their objectives have been achieved. Where a Local Lettings Policy is applicable to a property, this will be specified in the property advert. Details of current Local Lettings Policies are available on the Council's website.

Hard to Let Properties

The Council will monitor bids for properties and consideration will be given to changes in the eligibility criteria for properties for which there are no bids, or limited bids, in order to ensure the best use of available housing stock.

The Council may consider advertising hard to let properties more widely, for example to applicants on other Council's Housing Registers or to local residents who do not qualify for Charnwood Borough Council's Housing Register because they do not meet any of the Charnwood Local Connection criteria.

Shortlisting

Applicants who place bids for properties will be shortlisted in the following order:

- By need for any specialist components in the property (such as a level access shower or other significant disabled adaptation)
- By housing need Band (from Band 1 down to Band 3)
- By Banding effective date (from oldest to newest).

If more than one applicant with the same Band and Banding effective date bids for the same property, the Council will make a decision taking into consideration the individual housing circumstances of each case and relevant factors, such as previous offer refusals.

Wheelchair standard properties or properties with similar significant disabled adaptations will be matched to applicants who have a need for the adaptations and who are most suited to the vacancy. A specialist such as an Occupational Therapist may need to be consulted on the suitability of a property for the applicant(s).

If an applicant who has a need for accommodation with disabled adaptations bids for a property that does not meet this need, the Council will consider whether it is reasonable and practical to adapt the property taking into account budget availability and best use of available housing stock.

Where there is a shortage of accessible or adapted properties the Council may, subject to budget availability, identify properties that are suitable for adaptation and consider giving applicants who have disabilities preference for these properties.

The Council reserves the right to overlook bids, such as in the following circumstances:

- Where the applicant is already under offer for a different property
- Where the applicant has been awarded priority due to overcrowding or a medical or welfare need for an additional bedroom and has bid for a property with the same or fewer bedrooms
- Where the applicant has been awarded priority due to under-occupancy and has bid for a property with the same or more bedrooms
- Where the applicant poses a risk to individuals or the community
- Where the applicant has bid for a property for which they are not eligible due to a system or administrative error
- Where the applicant has bid for a property for which they are no longer eligible following a change in their circumstances.

Allocations and Offers

The Council's Housing Allocations Team will review bidding shortlists and allocate properties in accordance with this Policy. Successful applicants will be contacted if they have been matched to a property.

Applicants will have 3 working days to respond to an offer of accommodation. Some applicants may be given longer to consider an offer, for example where there are identified vulnerabilities that significantly affect the applicant's ability to respond.

Failure to respond to an offer by the specified deadline will be treated as a refusal. If an applicant fails to respond to an offer, their application will be suspended pending contact and confirmation of their circumstances. The application will be cancelled if there is no contact within 28 days.

Applicants will be required to provide documentary evidence to confirm the circumstances detailed on their application at the point of offer. Applicants who owe housing related debts will need to provide evidence to confirm that repayment plans have been maintained and/or their debts have been reduced below £250. Applicants may be required to complete an affordability assessment to confirm that the accommodation offered will be suitable.

If the applicant provides proof that demonstrates their circumstances have changed to such an extent that they are no longer eligible for the property, the offer will be withdrawn. If the applicant is unable to provide proof of their circumstances, the offer will be withdrawn. The application will be suspended until the required information has been provided and the application has been reassessed.

If an applicant accepts an offer of accommodation, arrangements will be made for a viewing of the property and subsequent signing of a tenancy agreement. Failure to attend an arranged viewing or sign-up appointment will be treated as a refusal.

If an applicant refuses 3 offers of suitable accommodation, they will not be permitted to bid for further properties or considered for another offer of accommodation for a period of 12 months. Their application will be suspended until 12 months have passed.

If an applicant who has been placed in Band 1 because they have an emergency level housing need refuses an offer of suitable accommodation, they will lose their priority status.

If a homeless applicant who is owed the Relief Duty under Section 189B of the Housing Act 1996, the Main Housing Duty under Section 193(2) of the Housing Act 1996 or the Accommodation Duty under Section 193C(4) of the Housing Act 1996 has been placed in Band 1 because they have an emergency level housing need refuses a final offer of suitable accommodation, they will lose their priority status and the relevant homeless duty will be discharged.

The Council reserves the right to withdraw any offer of accommodation where there is just cause. The Council will explain to the applicant why an offer has been withdrawn.

Direct Matches

The Council may make a direct offer of accommodation to an applicant on the register in the following circumstances:

- Where an applicant has a specialist need for adapted accommodation and the availability of suitable accommodation is limited
- Where an applicant poses a risk to individuals or the community
- Where a property has been temporarily let to a homeless applicant and is offered to the applicant in order to discharge the Main Housing Duty under Section 193(2) of the Housing Act 1996 or the Accommodation Duty under Section 193C(4) of the Housing Act 1996
- Where a property that has been advertised, offered to and refused by another applicant and is ready to let is offered to a homeless applicant who has a higher banding or banding effective date than the remaining applicants on the bidding shortlist
- Where a property that has been advertised, offered to and refused by all applicants on the bidding shortlist is offered to a homeless applicant

-
- Where the Council decides that an allocation would be in the Council's financial interest and reduce expenditure on temporary accommodation
 - Where the Council decides that an allocation would make the best use of available social housing stock.

Applicants who are eligible and who qualify for an allocation of accommodation will be able to join the Housing Register.

Eligibility

The following applicants are **not** eligible for an allocation of accommodation:

- Persons who are subject to immigration control (excluding classes prescribed as eligible for an allocation of accommodation in regulations made by the Secretary of State)
- Persons who are not subject to immigration control, but who are not habitually resident in the Common Travel Area (excluding classes prescribed as eligible for an allocation of accommodation in regulations made by the Secretary of State)
- Persons who are not subject to immigration control but whose only right to reside is:
 - An initial 3 month right to reside (or equivalent right derived from EU Treaty), including persons who also hold pre-settled status granted under the EU Settlement Scheme
 - Derived from their status as a jobseeker or family member of a jobseeker (or equivalent right derived from EU Treaty), including persons who also hold pre-settled status granted under the EU Settlement Scheme
 - Derived from their status as the parent of a UK citizen child.

Please Note: The eligibility criteria do not apply to transfer applicants who already hold an introductory, secure, starter or full assured tenancy with a Council or Registered Provider.

Qualification

The following applicants do **not** qualify for an allocation of accommodation:

- Applicants who do not meet any of the Charnwood Local Connection criteria (see page 16 for further information)
- Applicants who are homeowners or who have the financial means to purchase a property within Charnwood (see page 18 for further information)
- Applicants who have been responsible for serious unacceptable behaviour and are unsuitable to be a tenant (see page 19 for further information)

-
- Applicants who do not have a confirmed “Housing Need” as defined within this Policy (see page 20 for further information)
 - Applicants who are below the age of 16 years.

The following applicants will be able to join the Housing Register, but will **not** be permitted to bid for properties or considered for an offer of accommodation:

- Applicants who are 16 or 17 years of age will not be permitted to bid for properties or be considered for an offer of accommodation until a responsible adult such as a parent/other close relative or a representative from a support agency such as Social Services agrees to act as a trustee for the applicant and the Council is satisfied that the necessary support to sustain a tenancy is in place and the applicant is willing and able to meaningfully engage with the support.
- Applicants who lack the mental capacity to enter into a tenancy agreement, meet the obligations of holding a tenancy or make informed decisions relating to an offer of accommodation will not be permitted to bid for properties or considered for an offer of accommodation until a responsible person with lasting power or attorney, enduring power of attorney or authorisation from the Court of Protection (as appropriate to the circumstances of the case) is prepared to sign a tenancy agreement on the applicant’s behalf and the Council is satisfied that the necessary support to sustain a tenancy is in place. Where there are concerns that an applicant lacks capacity, the Council may refer the applicant to an appropriate agency such as Social Services for an assessment.
- Applicants who do not have the ability or skills to manage or sustain an independent tenancy will not be permitted to bid for properties or considered for an offer of accommodation until the Council is satisfied that the necessary support to sustain a tenancy is in place and the applicant is willing and able to meaningfully engage with the support. Where there are concerns that an applicant does not have the ability or skills to manage or sustain an independent tenancy, the Council may refer the applicant to an appropriate agency such as Social Services for an assessment.
- Applicants who are serving a custodial sentence will not be permitted to bid for properties until 56 days before their release date and will not be considered for an offer of accommodation until their release is imminent.

-
- Applicants who owe a housing related debt of £250 or more to any Council, Registered Provider or Landlord will not be permitted to bid for properties or be considered for an offer of accommodation until they have adhered to a repayment plan for at least the last 12 consecutive weeks (or the last 3 consecutive months).

Examples of Housing related debts include:

- Rent or service charge arrears for a current or former tenancy or licence
- Recharge debts relating to a current or former tenancy or licence
- Court costs relating to a current or former tenancy or licence
- Debts relating to temporary accommodation placements, such as bed and breakfast or hostel accommodation placements
- Debts relating to rent in advance/deposit schemes or other homelessness prevention schemes
- Housing Benefit overpayments.

If there is evidence of genuine financial hardship or an overriding housing need, an applicant may be permitted to bid for properties and be considered for an offer even if they have not been able to consistently maintain repayments for at least the last 12 consecutive weeks.

- Applicants who have refused 3 suitable offers of accommodation will not be permitted to bid for properties or be considered for another offer of accommodation for a period of 12 months.

Applicants who do not meet at least 1 of the Charnwood Local Connection Criteria or exemptions will not qualify for the Housing Register.

Charnwood Local Connection Criteria:

- Applicants who are currently resident in settled accommodation within Charnwood and have been resident in settled accommodation within Charnwood for at least the last 2 years
- Applicants who have been resident in settled accommodation within Charnwood for at least 3 out of the last 5 years
- Applicants who have close adult relatives who are currently resident within Charnwood and who have been resident within Charnwood for at least the last 5 years. Close adult relatives include parents/guardians, siblings or children over the age of 18 (including step-equivalents).
- Applicants who have paid employment or a confirmed offer of paid employment within Charnwood (the applicant's main place of work must be located within Charnwood and the employment would normally need to be for at least 16 hours per week and on a contract that is permanent or expected to last for a period of at least 12 months).

Exemptions:

- Applicants who are residing in an institution such as a prison or secure unit or in a hospital, rehabilitation centre, refuge, hostel, supported accommodation scheme or semi-independent accommodation scheme and who did have a qualifying local connection through residence in settled accommodation within Charnwood immediately before they moved into their current accommodation
- Applicants who are homeless and who did have a qualifying local connection through residence in settled accommodation within Charnwood immediately before they become homeless

-
- Applicants who have fled domestic abuse, violence or threats of violence that are likely to be carried out and cannot safely reside within any of the council areas where they have a local connection
 - Applicants who are Gypsies or Travellers who have a nomadic lifestyle and have been unable to establish a local connection as a result, and who do not have a local connection to any other Council areas
 - Care Leavers who are owed a duty under Section 23C of the Children Act 1989 by Leicestershire County Council
 - Care Leavers who are owed a duty under Section 23C of the Children Act 1989 by another Local Authority and who were accommodated within Charnwood under Section 22A of the Children Act 1989 for a continuous period of at least 2 years (including some time before they were 16 years of age)
 - Applicants who are serving members of the regular armed forces
 - Applicants who served in the regular armed forces within the 5 years immediately prior to the date of their application
 - Applicants who are serving or former serving members of the regular armed forces or reserve forces who suffer from a serious injury, illness or disability sustained as a result of their service
 - Applicants who are a bereaved spouse/civil partner of a former serving member of the regular armed forces and have recently ceased (or will soon cease) to be entitled to reside in services accommodation following the death of their spouse/civil partner
 - Applicants who are a divorced or separated spouse/civil partner of a serving member of the regular armed forces and have recently ceased (or will soon cease) to be entitled to reside in services accommodation following the breakdown of their relationship
 - Other exceptional circumstances (such cases will be referred to a Senior Officer for consideration and if approved will require final authorisation from the Head of Strategic and Private Sector Housing).

Applicants who are homeowners or have the financial means to purchase a property within Charnwood that meets their housing needs (and who do not meet any of the exemptions) will **not** qualify for the Housing Register.

Financial Means Criteria:

- Applicants who own a residential property in the UK or elsewhere, including freehold, leasehold, joint ownership or shared ownership (applicants who have been the owner of a residential property within the last 5 years will be required to provide proof of the proceeds from the sale and of the disposal of the proceeds)
- Applicants who have total household savings, investments and/or assets of £21,450 or more (single persons / lone parents) or joint savings, investments and/or assets of £21,450 or more (couples / couples with children / other household types)
- Applicants who have a total annual household income of £45,000 (single persons / lone parents) or joint household income of £60,000 or more (couples / couples with children / other household types).

Exemptions:

- Applicants who qualify for older person's sheltered accommodation schemes
- Applicants who have a need for specialist accommodation that is not available or affordable in the private sector within Charnwood, for example wheelchair standard accommodation
- Applicants who are unable to safely access their property or finances, for example because they are fleeing domestic abuse, and who are taking legal action in order to recover their funds/share of the funds
- Applicants who own a residential property with conditions that have been classified as being unsafe or posing an imminent risk of significant harm where the issues cannot be remedied by the applicant due to genuine financial hardship (and where the applicant would receive less than £21,450 from the sale of the property)
- Other exceptional circumstances (such cases will be referred to a Senior Officer for consideration and if approved will require final authorisation from the Head of Strategic and Private Sector Housing).

Applicants who are unsuitable to be a tenant because they (or any member of their household) have been responsible for unacceptable behaviour will not qualify for the Housing Register.

Examples of unacceptable behaviour include:

- Violence or threats of violence
- Domestic abuse
- Physical, sexual or financial abuse
- Threatening behaviour or intimidation
- Harassment
- Discriminatory abuse or harassment
- Anti-social behaviour
- Drug dealing
- Property damage
- Serious and persistent rent arrears
- Giving false information or withholding information in relation to an application for housing within Charnwood or any other area.

When assessing whether an applicant is unsuitable to be a tenant the Council will consider:

- The seriousness of the applicant's behaviour
- The duration of the behaviour and/or the number and frequency of incidents
- The length of time that has elapsed since the behaviour took place
- Relevant vulnerabilities and support needs
- Whether there has been meaningful engagement with support agencies
- Whether there has been a significant and sustained change in the applicant's behaviour.

Applicants who have been responsible for unacceptable behaviour will not be able to join the Housing Register until they have demonstrated a significant change in their behaviour and the Council is satisfied that the behaviour is unlikely to reoccur and the applicant is now suitable to be a tenant.

Applicants who do not fall within one of the statutory “reasonable preference” categories or Charnwood “local preference” categories will not be considered to have a housing need and will not qualify for the Housing Register.

Applicants who have a confirmed housing need will be placed in 1 of 3 Housing Need Bands:

- Band 3 – applicants who have a housing need
- Band 2 – applicants who have a high level of housing need
- Band 1 – applicants who have an emergency level of housing need.

Band 3 – Housing Need

Applicants who have 1 or more of the following Housing Needs will be placed in Band 3.

Overcrowding, Disrepair or other Poor Housing Conditions

Examples include:

- Applicants who are living in accommodation that is overcrowded, but not statutorily overcrowded, where their household has a need for 1 or more additional bedrooms (see Appendix 3 for further information)
- Applicants who are living in accommodation that has significant disrepair issues, where the issues cannot be remedied by the landlord within a time period that the Council considers to be reasonable (this will be assessed in partnership with the Council’s Private Sector Housing Team)
- Applicants who are living in accommodation that does not have reasonably modern facilities (this will be assessed in partnership with the Council’s Private Sector Housing Team)
- Applicants who have a dependent child under the age of 5 years within their household and are living in an upper floor flat that is accessed via a communal stairwell within a block of flats (this will only apply if the child is a permanent household member).

Medical or Mobility Need

Examples include:

- Applicants who have mobility issues and need to move to ground floor or level access accommodation
- Applicants who have mobility issues and need to move to accommodation that has level access showering facilities
- Applicants who have a significant physical or mental health condition that is directly affected by their accommodation and where a move to alternative accommodation would help to ease or resolve their condition
- Applicants who have a medical need for an additional bedroom (e.g. because they need an overnight carer or need to accommodate a substantial amount of medical equipment).

Welfare or Hardship Need

Examples include:

- Applicants who have been suffering from ongoing anti-social behaviour, such as noise nuisance or verbal abuse, where the issues have been reported to their landlord and/or the Police for action but it has not been possible for the issues to be satisfactorily resolved
- Applicants who need to move closer to relatives in order to give or receive assessed care or support and where moving would prevent significant physical, psychological or financial hardship
- Applicants who need to move closer to a specialist organisation, agency or institution within Charnwood and where moving would prevent significant physical, psychological or financial hardship
- Applicants who are having difficulty meeting their housing costs and where moving would prevent significant financial hardship
- Applicants who do not currently reside within Charnwood but have paid employment or a confirmed offer of paid employment within Charnwood and where moving would prevent significant financial hardship (the applicants main place of work must be located within Charnwood and the employment would normally need to be for at

least 16 hours per week and on a contract that is permanent or expected to last for a period of at least 12 months)

- Applicants who qualify for older person's sheltered accommodation schemes
- Applicants who are living in a supported or semi-independent accommodation scheme
- Applicants who have a welfare need for an additional bedroom (e.g. because they have a child with behavioural difficulties who cannot safely share a bedroom with siblings).

Homeless or at Risk of Homelessness

- Applicants who are at risk of becoming homeless within 56 days, as defined within Section 175 of the Housing Act 1996
- Applicants who are owed the Prevention Duty under Section 195 of the Housing Act 1996 by Charnwood Borough Council
- Applicants who are homeless, as defined within Section 175 of the Housing Act 1996
- Applicants who are owed the Relief Duty under Section 189B(2) of the Housing Act 1996 by Charnwood Borough Council.

Applications are placed in Band 3 for an initial period of 12 months. After this period a reassessment will be completed to confirm whether the applicant's circumstances have changed, whether they still have a housing need and whether they still qualify for the Housing Register.

Band 2 – High Housing Need

Applicants who have 1 of the following High Housing Needs will be placed in Band 2.

Ready for “Move-On”

- Applicants who are residing in supported or semi-independent accommodation and are ready to move to independent accommodation (this will only apply where Charnwood Borough Council has a “move-on” agreement in place for the accommodation scheme)

-
- Applicants who are residing in accommodation provided by a Local Authority under Section 20 or Section 22A of the Children Act 1989 and are ready to move to independent accommodation
 - Applicants who are residing with family and are at risk of exclusion from the family home and are ready to move to independent accommodation (this will only apply where Charnwood Borough Council is satisfied that the accommodation arrangement would not be sustainable in the long-term but the family have agreed to continue to accommodate the applicant for at least 6 months).

Management Need

- Applicants who have succeeded to a Council or Registered Provider tenancy following the death of a relative but cannot remain in the property (e.g. because the property is too large for the applicant's household)
- Applicants who are not eligible to succeed to a Council or Registered Provider tenancy following the death of a relative but lived in the property with the tenant for at least 12 months prior to the tenant's death and remain in the property
- Applicants who hold the tenancy of a Council or Registered Provider property, are under-occupying the property and are applying to downsize to smaller accommodation (e.g. because they are affected by an "under-occupancy charge")
- Applicants who hold the tenancy of a Council or Registered Provider property that has significant Disabled Adaptations and who no longer require these adaptations
- Applicants who hold the tenancy of a Council or Registered Provider property and are affected by re-designation.

Applications are placed in Band 2 for an initial period of 16 weeks. If an applicant who has been placed in Band 2 does not bid for suitable properties that are advertised during the initial 16 weeks, their application will be reassessed and moved down to Band 3.

Band 1 – Emergency Housing Need

Applicants who have 1 or more of the following Emergency Housing Needs will be placed in Band 1.

Dangerous or Hazardous Housing Conditions

Examples include:

- Applicants who are living in accommodation that has been classified as being “statutorily overcrowded” (this will be assessed in partnership with the Council’s Private Sector Housing Team). This Banding will not apply if the applicant has been placed in the accommodation temporarily by Charnwood Borough Council
- Applicants who are living in accommodation with conditions that have been classified as being unsafe or posing an imminent risk of significant harm and where the issues cannot be remedied by the landlord within a time period that the Council considers to be reasonable (this will be assessed in partnership with the Council’s Private Sector Housing Team). This Banding will not apply if the applicant’s landlord has/is able to temporarily “decant” the applicant into alternative accommodation whilst works are carried out
- Applicants who are residing in a property that is subject to a demolition order.

Emergency Medical or Mobility Need

Examples include:

- Applicants who have a progressive, chronic or life threatening medical condition and cannot be discharged from hospital because they do not have any accommodation or their accommodation is unsuitable, for example because they cannot access toilet and/or bathing facilities in the property
- Applicants who have a progressive, chronic or life threatening medical condition and urgently need to move because their accommodation is unsuitable, for example because they cannot access toilet and/or bathing facilities in the property
- Applicants who have a progressive, chronic or life threatening medical condition and urgently need to move to accommodation with significant disabled adaptations, such as wheelchair standard accommodation.

Emergency Welfare or Hardship Need

Examples include:

- Applicants who are suffering violence, or threats of violence that are likely to be carried out, where a move would prevent further violence
- Applicants who are suffering severe harassment or severe discriminatory harassment, where a move would prevent further harassment
- Applicants who are suffering domestic, physical, sexual or financial abuse, where a move would prevent further abuse.

Homeless Duty

- Homeless applicants who are owed the Main Housing Duty under Section 193(2) of the Housing Act 1996 by Charnwood Borough Council
- Homeless applicants who are owed the Accommodation Duty under Section 193C(4) of the Housing Act 1996 by Charnwood Borough Council
- Homeless applicants who are owed the Relief Duty under Section 189B(2) of the Housing Act 1996 by Charnwood Borough Council and have been issued with a S184 Decision confirming that they will be owed the Main Housing Duty under Section 193(2) of the Housing Act 1996 or the Accommodation Duty under Section 193C(4) of the Housing Act 1996 by Charnwood Borough Council if the Relief Duty comes to an end after 56 days and their homelessness has not been successfully relieved.

Applications will be placed in Band 1 for an initial period of 8 weeks. If an applicant who has been placed in Band 1 does not bid for suitable properties that are advertised during the initial 8 weeks, the Council may place bids on their behalf for properties until an offer of suitable accommodation is made. If an applicant who has been placed in Band 1 refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band 3.

If a homeless applicant who has been placed Band 1 and is owed the Relief Duty under Section 189B of the Housing Act 1996, the Main Housing Duty under Section 193(2) of the Housing Act 1996 or the Accommodation Duty under Section 193C(4) of the Housing Act 1996 refuses a final offer of suitable accommodation, (which may be an offer of private

sector accommodation), the relevant homeless duty will be discharged and their application will be reassessed and moved down to Band 3.

Exceptional Circumstances

In exceptional circumstances other applicants who do not fall within any of the “reasonable preference” or Charnwood “local preference” categories may be considered to have a housing need and fall within 1 of the 3 Bands (such cases will be referred to a Senior Officer for consideration and if approved will require final authorisation from the Head of Strategic and Private Sector Housing).

Banding Effective Dates

When a new application is assessed and placed into a Band, the effective date applied to the Banding will be the date on which the applicant provides all of the necessary evidence to support their application, regardless of the date their application was initially made.

When an application is moved up into a higher Band, the effective date applied to the Banding will be the date on which the Council receives confirmation that the higher Banding is applicable.

When an application is moved down into a lower Band, the effective date applied to the Banding will be the effective date that was applied when the applicant was previously in that Band. If the applicant has not previously been in the lower Band, the effective date will be the effective date that was applied to their most recent Band.

The Banding effective date for applicants who are placed in Band 1 because they are homeless and are owed (or have been issued with a S184 Decision confirming that they will be owed) the Main Housing Duty under Section 193(2) of the Housing Act 1996 or the Accommodation Duty under Section 193C(4) of the Housing Act 1996 by Charnwood Borough Council will be the date they made their homeless application.

Additional Preference

The following applicants will be given additional preference over other applicants who are within the same Band:

- Applicants who are former serving members of the regular armed forces
- Applicants who are serving or former serving members of the regular armed forces or reserve forces who suffer from a serious injury, illness or disability sustained as a result of their service

-
- Applicants who are a bereaved spouse/civil partner of a former serving member of the regular armed forces and have recently ceased (or will soon cease) to be entitled to reside in services accommodation following the death of their spouse/civil partner.

Deliberate Worsening of Circumstances

Applicants will not normally qualify for Band 1 or Band 2 if their housing need arises as a result of deliberately worsening their own housing circumstances.

Examples include:

- Applicants who have sold a property or given up a tenancy of a property that was suitable and reasonable to occupy and moved into accommodation that is overcrowded, in a poor state of repair or unaffordable
- Applicants who reside in a property that is in a poor state of repair due to neglect or damage that they, or a member of their household, caused
- Applicants who reside in a property that is in a poor state of repair and will not permit their landlord access to carry out repairs or improvement works
- Applicants who have created overcrowding within their accommodation by moving extended family into the property when there was no need to do so
- Applicants who have colluded with their landlord in the service of a notice.

Reviews

If an applicant does not agree with a decision made by the Council in respect of their application, they have the right to request a review of the decision. Circumstances in which an applicant may request a review include:

- The Council has decided that an applicant is not eligible or does not qualify for the Housing Register
- The applicant believes their application has been assessed incorrectly and placed in the wrong Band
- The applicant believes they should be eligible to bid for a size or type of property that they have not been permitted to bid for
- The Council has decided to withdraw an offer of accommodation
- An application has been cancelled and the applicant's request to have the application reinstated has been refused.

Applicants who wish to request a review of a decision will need to submit their request in writing within 21 days of the date of the decision. The Council will only be prepared to consider late review requests in exceptional circumstances and where there is good reason for the delay.

A review request should include details of why the applicant feels the decision is incorrect and any points the applicant wants the Council to take into account when carrying out the review. If the applicant submits new information or evidence that was not available when the original decision was made, such as information relating to a change in circumstances, the application may be referred for a reassessment rather than a review. If the applicant does not agree with the decision made following the reassessment, they have the right to request a review.

All reviews will be completed by a Senior Officer who was not involved in the original decision. A review will normally be carried out within 56 days. Written notification of the review decision, including grounds for the decision, will be sent to the applicant at the correspondence address or email address provided for their application. If the applicant does not have a correspondence address or email address, a copy of the letter will be made available for collection from the Council Offices for period of at least 21 days.

If an applicant has been matched for a property but has been refused an offer of accommodation by a Registered Provider, they should make a request to the Registered Provider in the first instance to review its decision. Each Registered Provider operates its own appeals process.

Complaints

If an applicant is dissatisfied with the service provided by the Council's Housing Needs Team they can make a complaint. All complaints will be dealt with by a Senior Officer and in line with the Council's Corporate Complaints Procedure.

If an applicant is dissatisfied with the service they have received from a Registered Provider, they can make a complaint to the Registered Provider. Each Registered Provider operates its own complaints procedure.

Relevant Legislation, Regulations and Guidance

The following legislation, regulations and guidance were taken into consideration by the Council when developing this policy.

- Rent (Agriculture) Act 1976
- The Housing Act 1985
- The Housing Act 1996
- The Homelessness Act 2002
- The Housing Act 2004
- The Equality Act 2010
- The Localism Act 2011 (England)
- The Homelessness Reduction Act 2017
- The Data Protection Act 2018
- Allocation of Accommodation: Guidance for Local housing Authorities in England (2012, DCLG)
- Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG, December 2013) “Supplementary Code”
- Allocation of Housing (Procedure) Regulations 1997, SI 1997/483
- Allocation of Housing (England) Regulations 2002, SI 2002/3264
- Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294
- Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019, SI 2019/861
- Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, SI 2012/1869
- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, SI 2012/2989
- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015

Bedroom Eligibility

Household Type	Property Type
Single Person	Studio Flat/Bedsit 1 Bedroom Flat 1 Bedroom House/Bungalow
Couple	1 Bedroom Flat 1 Bedroom House/Bungalow
Single Person or Couple + need for an additional bedroom for carer, medical or welfare reasons	1 Bedroom Flat 1 Bedroom House/Bungalow 2 Bedroom Flat
Single Person or Couple + need for an additional bedroom for child access	1 Bedroom Flat 1 Bedroom House/Bungalow 2 Bedroom Flat
Single Person or Couple + 1 other (any age)	2 Bedroom Flat 2 Bedroom House/Bungalow
Single Person or Couple + 2 others of the same gender (both below the age of 16)	2 Bedroom Flat 2 Bedroom House
Single Person or Couple + 2 others of the same gender (1 or both above the age of 16)	2 Bedroom Flat 2 Bedroom House/Bungalow 3 Bedroom Flat 3 Bedroom House
Single Person or Couple + 2 others; 1 male and 1 female (any ages)	2 Bedroom Flat 2 Bedroom House/Bungalow 3 Bedroom Flat 3 Bedroom House
Single Person or Couple + 3 others (all below the age of 16)	3 Bedroom Flat 3 Bedroom House
Single Person or Couple + 3 others of the same gender (1 or more above the age of 16)	3 Bedroom Flat 3 Bedroom House 4 Bedroom House
Single Person or Couple + 3 others; 2 male and 1 female (1 or both males above the age of 16)	3 Bedroom Flat 3 Bedroom House 4 Bedroom House
Single Person or Couple + 3 others; 2 female and 1 male (1 or both females above the age of 16)	3 Bedroom Flat 3 Bedroom House 4 Bedroom House

Household Type	Property Type
Single Person or Couple + 4 others of the same gender (all below the age of 16)	3 Bedroom Flat 3 Bedroom House
Single Person or Couple + 4 others of the same gender (1 or more above the age of 16)	3 Bedroom Flat 3 Bedroom House 4 Bedroom House
Single Person or Couple + 4 others; 2 male and 2 female (all below the age of 16)	3 Bedroom Flat 3 Bedroom House
Single Person or Couple + 4 others; 2 male and 2 female (1 or more above the age of 16)	3 Bedroom Flat 3 Bedroom House 4 Bedroom House
Single Person or Couple + 4 others; 3 male and 1 female (any ages)	3 Bedroom Flat 3 Bedroom House 4 Bedroom House
Single Person or Couple + 4 others; 3 female and 1 male (any ages)	3 Bedroom Flat 3 Bedroom House 4 Bedroom House
Single Person or Couple + 5 or more others (any ages)	3 Bedroom Flat 3 Bedroom House 4+ Bedroom House

Please Note:

- Minimum and maximum age and occupancy criteria may apply to some properties
- Applicants who have a confirmed medical or welfare need for additional bedrooms will be permitted to bid for properties with the required number of bedrooms
- Any unborn child will be taken into account when assessing bedroom eligibility once the expected delivery date is within 3 months
- Houses with 2 or more bedrooms will normally be restricted to households containing dependent children
- Due to limited availability, families with 5 or more children may be given preference over smaller eligible households for properties with 4 or more bedrooms
- Applicants may be required to complete an affordability assessment following an offer of accommodation to confirm whether the accommodation is suitable
- Separate criteria will be used to determine whether a property is overcrowded (overcrowding assessments will only take current permanent residents into account and this will not include unborn children).

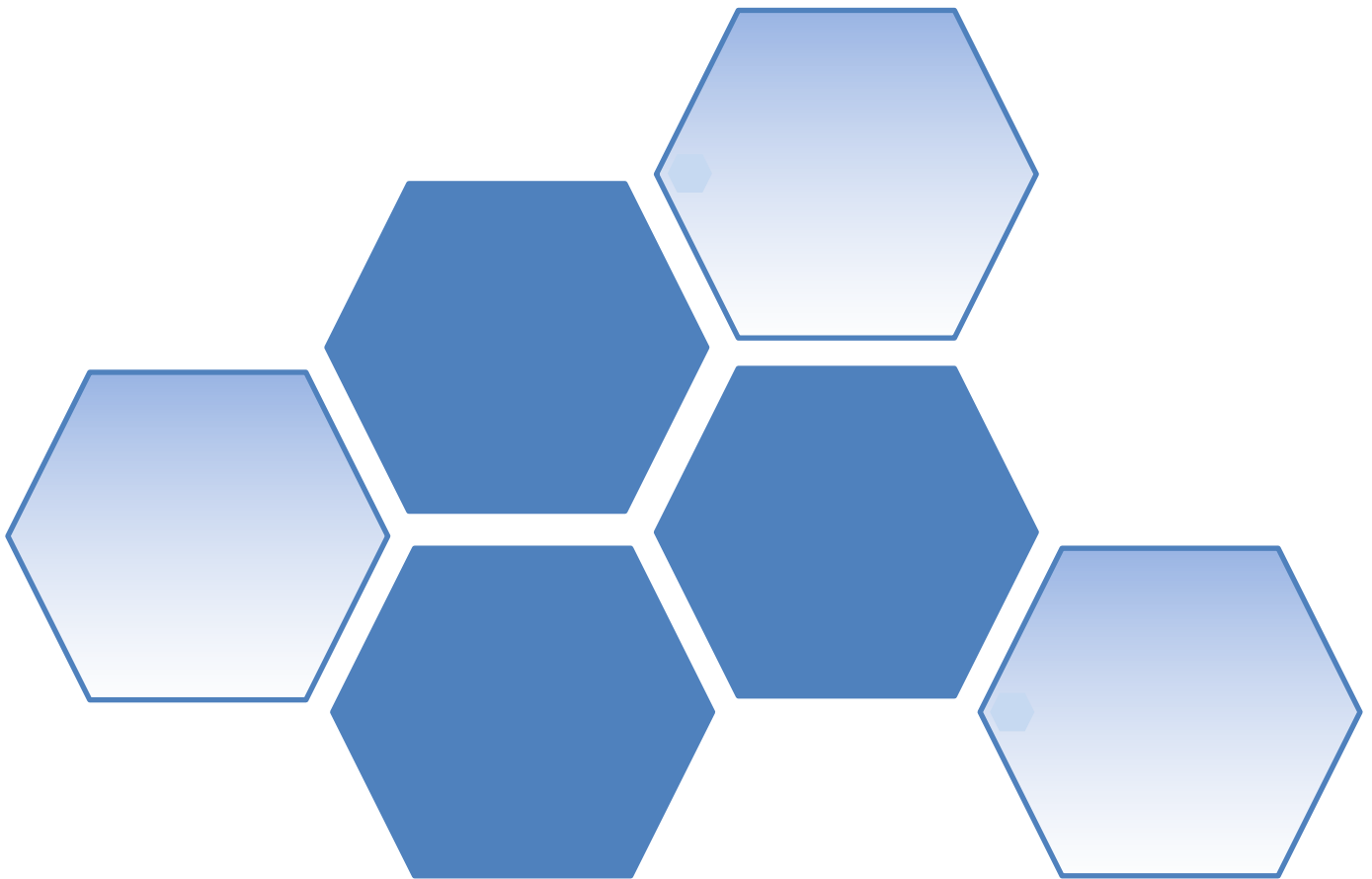
Overcrowding Assessments

A property will be classed as overcrowded if there are not enough bedrooms for all current permanent members of an applicant's household. One bedroom is required for each of the following:

- Any married or co-habiting couple
- Any other adult aged 21 years or over
- Any pair of children aged under 10 years (regardless of gender)
- Any pair of children/young people of the same gender aged under 21 years
- Any other child or young person aged under 21 years.

Overcrowding assessments will not take unborn children into account.

A referral to the Council's Private Sector Housing Team may be made for a home visit if there are concerns that a property may be statutorily overcrowded, as defined within the Housing Act 1985.



Appendix JS3

Extracts from Planning Practice Guidance (March 2014,
Ongoing Updates)



Extracts from Planning Practice Guidance

*as of 04/10/2019

Section	Paragraph	Commentary
Housing and Economic Needs Assessment	006 Reference ID: 2a-006-20190220	<p>This section sets out that assessments of housing need should include considerations of and be adjusted to address affordability.</p> <p>This paragraph sets out that <i>“an affordability adjustment is applied as household growth on its own is insufficient as an indicators or future housing need.”</i></p> <p>This is because:</p> <ul style="list-style-type: none"> • <i>“Household formation is constrained to the supply of available properties – new households cannot form if there is nowhere for them to live; and</i> • <i>people may want to live in an area in which they do not reside currently, for example to be near to work, but be unable to find appropriate accommodation that they can afford.”</i>
Housing and Economic Needs Assessment	018 Reference ID 2a-01820190220	Sets out that <i>“all households whose needs are not met by the market can be considered in affordable housing need. The definition of affordable housing is set out in Annex 2 of the National Planning Policy Framework”</i> .
Housing and Economic Needs Assessment	019 Reference ID 2a-01920190220	States that <i>“strategic policy making authorities will need to estimate the current number of households and projected number of households who lack their own housing or who cannot afford to meet their housing needs in the market. This should involve working with colleagues in their relevant authority (e.g. housing, health and social care departments).</i>
Housing and Economic Needs Assessment	020 Reference ID 2a-02020190220	<p>The paragraph sets out that in order to calculate gross need for affordable housing, <i>“strategic policy-making authorities can establish the unmet (gross) need for affordable housing by assessing past trends and current estimates of:</i></p> <ul style="list-style-type: none"> • <i>the number of homeless households;</i> • <i>the number of those in priority need who are currently housed in temporary accommodation;</i> • <i>the number of households in over-crowded housing;</i> • <i>the number of concealed households;</i> • <i>the number of existing affordable housing tenants in need (i.e. householders currently housed in unsuitable dwellings); and</i> • <i>the number of households from other tenures in need and those that cannot afford their own homes, either to rent, or to own, where that is their aspiration.”</i>
Housing and Economic Needs Assessment	024 Reference ID 2a-02420190220	The paragraph states that <i>“the total need for affordable housing will need to be converted into annual flows by calculating the total net need (subtract total available stock from total gross need)</i>

		<p><i>and converting total net need into an annual flow based on the plan period”.</i></p> <p>It also details that:</p> <p><i>“An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.”</i></p>
<p>Housing Supply and Delivery</p>	<p>031 Reference ID: 68-031-20190722</p>	<p>With regard to how past shortfalls in housing completions against planned requirements should be addressed, the paragraph states:</p> <p><i>“The level of deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5 year period (the Sedgefield approach)”</i></p>

Appendix JS4

Independent Article (June 2020)



Independent PremiumUK news

Council housing sell-off continues as government fails to replace most homes sold under Right to Buy

Home ownership has fallen since the policy was introduced and flats are ending up in the hands of private landlords, writes **Jon Stone**



Sunday 21 June 2020 09:18

Two-thirds of the council homes sold off under [Right to Buy](#) are still not being replaced by new [social housing](#) despite a promise by the government, official figures show.

[Housing](#) charities warned that enough “desperately needed” genuinely affordable housing is simply not being built, with an overall net loss of 17,000 homes this year from social stock.

Since the policy was updated in 2012-13, 85,645 homes have been sold through the policy, but only 28,090 built to replace them, statistics from the Ministry of Housing, Communities and Local Government show.

Under [Right to Buy](#), the government sells off council housing at discounts of up to £100,000 to tenants.

Despite pitching the policy as a way to get more people on the property ladder, overall home ownership has actually fallen significantly since it was introduced in the 1980s.

Previous studies have shown that around 40 per cent of flats sold under the policy since the 1980s have ended up in the hands of private landlords, who let the homes out to private tenants at higher rates. The proportion is thought to be even higher in areas of high housing pressure like London.

Councils warned ministers when the policy was updated that the steep discounts meant the money would not be enough to replace homes one-to-one, and that the very existence of the policy undermined their ability to finance housebuilding by making it impossible to reliably borrow against future rents.

The government officially committed to replace the extra homes sold due to an increase in discounts in 2012-13, but housing charities say the affordable sector cannot afford to bleed stock at all. The government is still around 7,000 homes short of its own target, which covers construction up to the third quarter of 2016-17 because councils are given three years to replace the sold stock.

Jon Sparkes, chief executive at homelessness charity [Crisis](#), said: “These statistics demonstrate just how serious the current housing crisis is. What few social homes that are available are largely being removed from the market as part of Right to Buy, and the supply is not being replenished in line with this.

“People in desperately vulnerable circumstances are being left with dwindling housing options as a consequence of our threadbare social housing provision. This is all the more worrying considering the rise we expect in people being pushed into homelessness as a result of the pandemic.

“To address this, we need to see the government suspend Right to Buy going forward and prioritisation for social housing being given to people who are homeless so they are able to better access what is currently available. Alongside this, we also need commitment to build significantly more social homes in the coming years to keep in step with demand.

“Ending homelessness in the UK is completely within our grasp, but requires a rethink of existing policies that stand in the way.”

In 2018 Theresa May announced that a long-standing borrowing cap preventing councils from building more homes would be lifting. A survey by the Local Government Association

conducted in March 2019 found that a startling 93 per cent of councils were planning to use the extra headroom.

The Scottish and Welsh governments have already ended Right To Buy, citing its effect on the council housing stock.

Commenting on the Right to Buy figures, Polly Neate, chief executive of the housing charity [Shelter](#), said: “The coronavirus pandemic has drummed into us the importance of having a safe home like nothing before. By the same token it’s made it crushingly clear that not enough people do – including the million-plus households stuck on social housing waiting lists. Many of whom are homeless or trapped in grossly overcrowded accommodation right now.

“Despite being desperately needed, our recent track record on building new social homes is atrocious. There was actually a net loss of 17,000 social homes last year, and as it stands Right to Buy isn’t helping. While some people have benefited from the scheme, the failure to replace the properties sold has deprived many others of a genuinely affordable social home.

“But the status quo can be changed. As the government plots its economic recovery from coronavirus, it could give councils the means they need to replace and build social housing. As well as helping to create jobs and get housebuilding going again, this would offer all those without one, their best shot at a safe home.”

Asked about the figures, a spokesperson for the Ministry of Housing, Communities, and Local Government said: “The government is committed to Right to Buy, which has helped nearly two million council tenants realise their dream of home ownership and get on the property ladder.

“Since 2010 we have delivered more homes for social rent – over 140,000 in total – compared to the number of homes sold under the Right to Buy scheme.”

The ministry’s statement is misleading, however, as the 140,000 figure refers to all social housebuilding rather than those homes built to replace housing sold under Right To Buy using receipts earmarked for this purpose.

Appendix JS5

Watt a Save by HBF – October 2022



Watt a Save

The financial benefits
and carbon efficiency
of new homes

Autumn 2022



www.hbf.co.uk

Introduction

New build home buyers are saving over £500 million a year in energy bills, as well as collectively reducing carbon emissions by over 500,000 tonnes.

On average, buyers of new homes save over £2,000 on household bills per property each year, equivalent to £173 a month. For buyers of houses, as opposed to flats the savings are even greater at £220 per month.

Energy costs have risen by 80% this year, and despite Government action, costs are still dauntingly high.

New build home buyers are also doing their bit to reduce carbon emissions, with older properties generating nearly three times as much carbon as the equivalent new build. As the pressure on the climate increases, and with residential property in the UK accounting for over 20% of the country's emissions, the positive impact that new build homes can have on our progress towards net zero is vital.

As home builders work towards the Future Homes Standard, which is due to come into force in 2025, the energy efficiency of new homes will become even greater in the years ahead. Amid an increasingly eco-conscious consumer base, the role of new build properties in meeting this demand will only become even more important. The second part of this report explores some of the innovative new measures and technologies that home builders are using to deliver these financial and environmental benefits.

Methodology

The Department for Levelling Up, Housing and Communities (DLUHC) regularly publishes statistics on Energy Performance Certificates (EPCs) in England and Wales, which breaks down the rating of EPCs allocated to different property types, and the carbon emission, energy use and estimated bills for new build and existing properties.

By using data from British Gas on average annual bills for homes of different sizes, this report uses an average combined price for gas and electricity per kWh. Applying this price to the energy use figures from DLUHC, the report estimates average bills for different dwelling types, and the average annual savings for new build homeowners.

The data sample is made up of just over 1.6 million properties, including over 1.3 million existing dwellings and nearly 250,000 new builds, all of which were registered with an EPC in the year to end of June 2022. These will largely be properties that were marketed for sale or rent in the year. For existing properties this represents a cross-section of around 1% of all existing homes.

It is important to note that of the base of existing dwellings, these will encompass a broad range of properties by age, with some being a few years old but many being decades or even centuries old.

Context

As energy prices and household utility bills continue to rise exponentially, the importance of having an energy efficient home has never been greater. England has one of the oldest and least energy efficient housing stocks in Europe, with over 70% of our homes built before 1980.

Since 2007, all homes in the UK have been required to have an EPC before they are sold or let. The system was introduced in the hope that energy labelling will raise awareness of energy efficiency and encourage upgrading to make properties more marketable. In recent years in particular, homes across the UK have been worth more when scored more highly in an EPC.

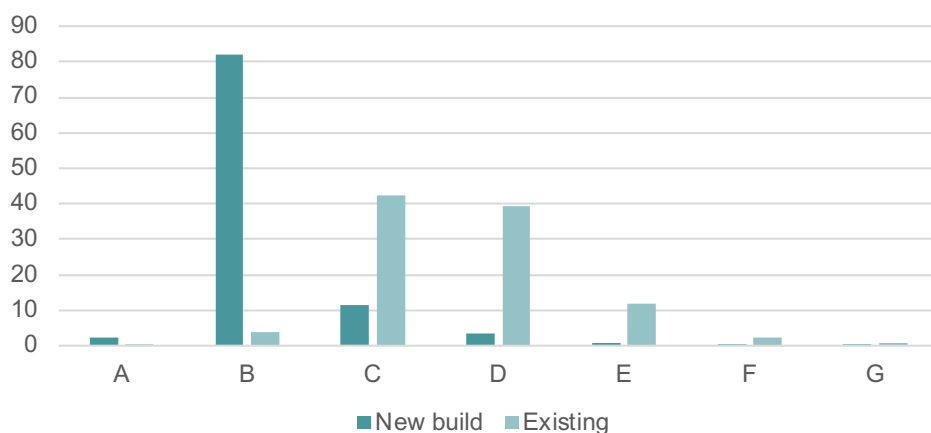
On numerous occasions, the Government has attempted to introduce schemes to retrofit homes and improve energy efficiency, but older properties fail to reach the same standards as new build homes. While new build homes are constructed using new technologies and materials, and are built to ever evolving regulations, older homes face extensive and costly retrofit works to get to the same standard.

These newer homes need drastically less energy to power and heat, and therefore are significantly cheaper and more environmentally friendly to run. Although older homes can be retrofitted to improve efficiency, research from Nationwide finds that the average bill facing those in homes currently rated D or E is over £8,000, and considerably higher for those in properties rated F or G.

Energy ratings

New build homes are consistently rated with much higher EPCs than existing dwellings. For homes logged in the year to June 2022, 84% of new builds were rated A or B for energy efficiency, while under 4% of existing dwellings reached the same standards. In contrast, 54% of existing dwellings were rated D or lower, as compared to less than 5% of new builds.

EPCs of new build and existing dwellings in England, in the year to June 2022

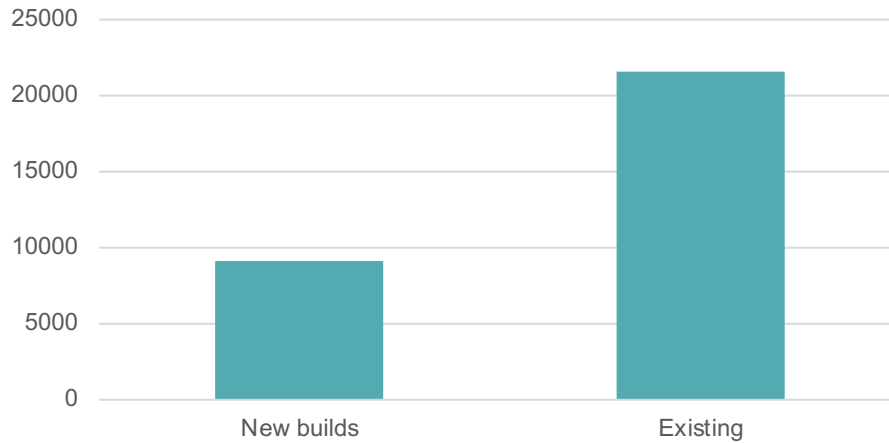


Energy use

While DLUHC's data attempts to quantify how much the different dwelling types will spend, on average, on household bills (i.e, heating, lighting, and hot water) each year, it put these figures at £452 for new builds and £847 for existing dwellings. With rampant inflation in energy markets and household bills increasing at unprecedented rates, it is clear that these figures are no longer accurate, but a much clearer picture can be painted by looking at the difference in energy use.

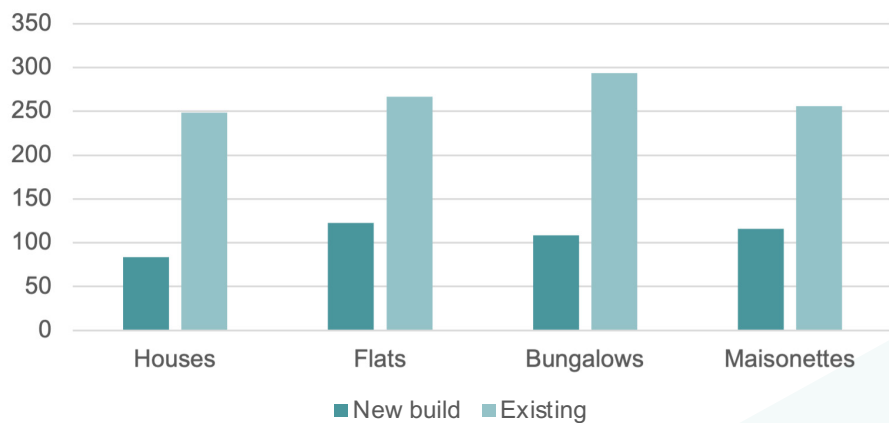
The improved energy efficiency of new build homes has a significant impact on their energy use. The average new build property uses approximately 9094 kWh a year, as compared to older properties which use an annual average of 21621 kWh.

Total energy use per annum (kWh)



Although some critics of new build homes may claim this is due to new builds being smaller than existing properties, the data shows this clearly is not true. The new build homes in the data set are not only larger, with an average floorspace of 90.5m² as compared to existing dwellings at 83.6m², but also use significantly less energy per m² over the year. The average new build home used approximately 100 kWh per m² in the year to June 2022, whilst older homes used 259 kWh per m² in the same period. Across all property types and sizes, new build home usage was substantially below existing dwelling usage.

Energy use per m²/PA (kWh)



Bills

Looking at the average cost per kWh of gas and electricity combined, based on the prices set by the Government's Energy Price Guarantee for bills from October 2022, the bills and savings that new build homeowners will see each year are vast.

	New build homes costs per year	Existing homes costs per year	Average savings
Houses	£1,539.17	£4,169.97	£2,630.80
Flats	£1,237.82	£2,438.94	£1,201.12
Bungalows	£1,734.67	£3,564.08	£1,829.41
Maisonettes	£1,510.18	£3,074.42	£1,564.24

On average, the new build properties in this dataset will cost £1,500.43 to run a year, just 42% of the cost of an average existing dwelling, which would be to £3,567.44 per year based on most recent energy prices.

This means that buyers of new build properties in the year to June 2022 are collectively saving over £500 million a year in running costs compared to if they had bought an equivalent older property.

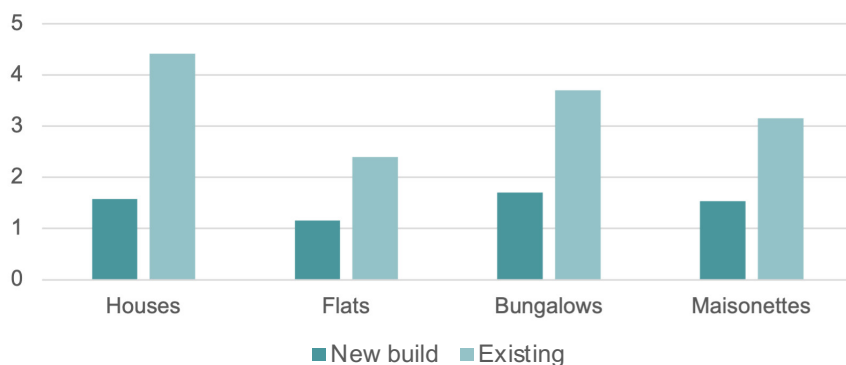
However, with the energy price cap now set to be reviewed every three months and further increases predicted for January 2023, these bills, and therefore the savings that more energy efficient properties see, are likely to soar.

Carbon emissions

While the financial benefits are reason enough to buy a new home, the appeal becomes stronger still when the environmental aspects are also taken into account. Due to the decreased energy usage as outlined earlier in this report as well as new technologies, improved industry knowledge and low carbon heating, new builds are constructed to emit significantly less carbon dioxide each year.

For homes registered with an EPC in the year to June 2022, the average new build emitted 1.4 tonnes of carbon over the year, whilst the average existing dwelling emitted 3.7 tonnes. The breakdown of carbon emissions by type of home can be seen in the graph below, with new builds emitting significantly less across all property types.

Average carbon dioxide emissions per dwelling (tonnes per annum), year to June 2022



Last year's new build home purchasers are reducing carbon emissions by an average of 2.2 tonnes a year per home, with a total saving of 548,000 tonnes compared to if they had bought an equivalent older property. If all 1.38 million existing dwellings in this sample were brought to the same efficiency standards as the new builds, carbon emissions would be reduced by over 3 million tonnes over just 12 months.

Context for the wider housing stock

The costs and emissions outlined above are just for the properties registered in the 12-month period to June 2022 and are not figures for England as a whole. Looking to England's total housing stock, just over 23 million properties have lodged an EPC since the regime began in 2007. Currently, under ten million have an energy efficiency rating of C or above, despite a government ambition to make as many homes as possible reach this standard by 2025.

If the 13.8 million homes currently with an EPC rating of D or lower were brought up to the same efficiency standards as the average new build in this sample, there would be a collective saving of £28 billion a year, and carbon emissions would be reduced by over 31 million tonnes.

Case studies

To deliver the vast environmental and financial benefits enjoyed by owners of new build homes, developers are required to adopt a range of innovative technologies and measures during the planning, design, and construction of their developments.

In the remainder of this report, we seek to bring these benefits to life through a selection of case studies, which highlight just some of the most ambitious and forward-thinking examples of new homes in the industry.

Case study

Autograph Homes: ViewPoint@Totterdown, Bristol

The construction methods and materials used during the building of a property have a significant role to play in determining the dwelling's energy efficiency. These factors have been a key focus of Autograph Homes' ViewPoint@Totterdown development in Bristol.

The development features 13 low carbon townhouses which have been built using timber frame construction. This method has the lowest CO₂ cost of any commercial building material: it takes less energy to produce and build with, and it's easily recycled. As such, every timber frame home saves a potential four tonnes of CO₂.

Attentions have also been focused on how to minimise heat loss, through a combination of insulation, airtightness and a precision built timber frame. The properties include oversized, thermally insulated windows to let more natural daylight in and reducing the reliance on artificial lights. They also help to warm the house through solar gain, as well as cutting heat loss during the winter.

Furthermore, every home is fitted with high output, 320W photovoltaic panels to provide free solar energy. Altogether, the PV panels at ViewPoint produce up to 25,150 kWh/year – that's enough to power four electric cars. In the larger properties, solar energy is also paired with air source heat pumps which extract the warmth from outside air to help heat water for zoned underfloor heating, radiators and hot water. Heat pumps are carbon neutral, when powered by PV or similar alternative energy sources, delivering up to three times as much thermal energy as the electrical energy used to drive them.

As a result of these technologies, household energy requirements will be less than 10% of a similar-sized Victorian property, and as little as a third of a typical new build home. The houses have consequently been awarded an 'A' EPC rating.



Case study

Barratt Developments: The Zed House and Energy House 2.0, University of Salford

While the Future Homes Standard is one of the first key milestones in the home building industry's journey to net zero, many developers are already looking beyond this. One such builder is Barratt Developments, who have developed the Zed House: a zero-carbon concept home that showcases the future of the sustainable living in the UK.

Built on the University of Salford's main campus, its purpose is to test and monitor the most modern sustainable housing technology such as air source heat pumps, infrared panels, plaster that eliminates pollutants, a fridge that keeps food fresh for longer, heated skirting boards, air-powered showers, electric vehicle charging points, PV solar panels and battery storage.

In recognition of the importance of taking consumers with industry on its journey to net zero, the home will also be lived in by a university academic to better understand the customer's experience of zero carbon living.



Built using modern methods of construction, the Zed House is part-funded by Government and has been developed in partnership with over 40 leading organisations from across the housebuilding, sustainability, and technology sectors, helping to broaden knowledge with lessons learnt shared across the industry.

In addition to the Zed House, Barratt has also launched the Energy House 2.0, an innovative research centre tasked with helping to accelerate progress towards low carbon and net zero design at scale.

Also based at the University of Salford, the £16m research lab, part-funded by the European Regional Development Fund (ERDF), is the largest facility of its type, containing two environmental chambers each able to accommodate two detached houses.

Harnessing the University of Salford's expertise and knowledge of the built environment, the chambers can recreate a wide variety of weather conditions, with temperatures ranging between -20°C to +40°C, as well as simulating wind, rain, snow and solar radiation.

Inside Energy House 2.0, Barratt and manufacturer, Saint-Gobain UK and Ireland, are working together to build a home - known as eHome2 - to test products at a range of temperatures and weather conditions to replicate predicted changes in the climate.

The eHome2 is being built with an advanced timber frame solution that uses engineered timber studs. This will enable them to create a building that will be future proof and hit the 2025 Future Homes Standard fabric targets. The walls will be pre-insulated and lightweight render-based bricks by Weber are also being used to enable them to build the house in 12-14 weeks - half the time it takes to build a standard home.

In time, Barratt will be looking to take the lessons learnt from the Zed House to integrate new and improved technologies to the eHome2. Barratt is committed to building sustainably and has pledged that all of its new homes will be zero carbon by 2030 - the Zed House and eHome2 are the first steps to achieving that ambition.



Case study

Aequus Group: St Joseph's Court, Bath

With 86% of new homes achieving either an A or B EPC rating in comparison with just 46% of existing homes, new builds are the obvious choice for environmentally conscious consumers looking to make savings on both their energy bills and carbon emissions.

St Joseph's Court, Bath, developed by Aequus Group (Bath & North East Somerset Council's wholly-owned housing company) is a prime example. Featuring nine 'A' EPC rated new homes, the development uses a range of features to support its sustainability credentials including the reuse of crushed concrete arisings from the demolition of the site's former Church as pipe bedding and under patios and a Sustainable Urban Drainage System (SUDS).

The houses were constructed from a timber frame to enable a fabric first approach of high levels of insulation, and they have subsequently achieved a very good standard of airtightness. Furthermore, they all incorporate energy efficiency measures such as air source heat pumps, solar panels, LED lighting, remote Nest temperature controls, PV panels on the roofs and Electric Vehicle (EV) charging points which will save residents more than 50% on energy bills. The homes emit no net carbon in use, helping Bath & North East Somerset Council to reach its target of net carbon zero by 2030. Thought has also been given to environmental measures outside of the home.



Rainwater butts were connected to rainwater downpipes to enable gardens to be watered from rainwater, reducing reliance on mains water. In addition, holes for badgers and other wildlife were cut through fences, badger and vole mounds were formed to encourage local wildlife, and bird/bat boxes were fixed to most homes.

Commenting on the development, Cllr Tom Davies, Bath & North East Somerset Council Cabinet Member for Adult Services and Council House Building said: "The development at Sladebrook Road presented an opportunity for Bath & North East Somerset to combine its ambitions to address the climate emergency and directly deliver affordable housing, by purchasing two highly energy efficient homes for shared ownership tenure. The homes are of outstanding quality, spacious and well designed. Importantly for the resident, the sustainability features are integrated in a way which feel intuitive to use and we have every confidence that the energy use and carbon production targets will be realised".



Case study

The Hill Group: The Villas, Knights Park, Cambridge

With the UK having experienced record-breaking temperatures during the summer of 2022, discussions around housing are increasingly focusing on how we can keep our homes cool. The Hill Group provides an excellent example of how new technologies can be used to achieve this.

The Villas, a collection of homes in the Knights Park development, Cambridge, have used a special glazing on the windows to eradicate solar gain preventing the rooms from getting too hot in the summer. In addition, a mechanical ventilation heat recovery system has been implemented which ensures a constant flow of fresh filtered air.

However, the Hill Group's focus on sustainability stretches far beyond measures to keep the houses cool. For example, aerated showerheads and taps and energy efficient kitchen appliances have been used in the homes to help keep electricity and water consumption low. These features, along with Solar PV panels, triple glazing, air tightness and many more, mean the homes have achieved both a Code for Sustainable Homes Level 5 rating and an 'A' EPC rating.

Sustainability has also been factored into the materials used to build the homes, with The Villas constructed from locally sourced and recycled materials wherever possible and the use of signature buff brick keeps their appearance in line with historic Cambridge.

The broader Knights Park development, which will deliver 3,000 new homes when complete, contains further environmentally friendly initiatives including:

- The energy centre uses gas to generate heating and hot water for the homes, distributed via a district heating network. This is a more efficient use of resources, providing greener, more environmentally friendly heating, hot water and energy.
- Eddington is home to the UK's largest site-wide water recycling system. Rainwater is gathered and stored in underground tanks. It is then filtered and used as a renewable source of clean water for flushing toilets, washing machines and garden watering.
- Around 2,000 trees, plants and brambles will be planted in the first phase of development.



Case study

Vistry Group: Europa Way Triangle, Leamington

In 2021, Vistry delivered 54 homes that form its Europa Way Triangle development and surpass the Future Homes Standard. In fact, the regulated energy of these homes has been reduced to net zero. This has been achieved through a high performing fabric, timber frame construction, solar PV panels and an air source heat pump.

The homes at Europa Way Triangle, in Leamington, were delivered for Warwick District Council in support of its commitment to be a zero-carbon authority by 2025. Vistry is capturing real practical experience from people living in these homes, helping them ensure customers have a smooth transition to net zero carbon over the coming years.

The project included ambitious carbon reductions in all possible areas, including embodied carbon, which drove a change from brick and block masonry construction to timber frame.

A significant proportion of Vistry's total carbon emissions are associated with occupant energy use. Lessons from its experience at Europa Way have helped Vistry to develop its carbon reduction roadmap and allow it to confidently develop a carbon reduction plan.

This has led to Vistry signing up to Business Ambition for 1.5°C, submitting Science Based Targets and also linking carbon reduction to remuneration (5% of executive and manager bonus scheme and equal weightings for the staff discretionary bonus scheme), as well as a sustainability linked credit facility with carbon reduction targets.

Councillor Jan Matecki, Warwick District Council's portfolio holder for Homes, Health and Wellbeing said: "This is really welcome news for the district. Our overall vision is to create healthy and sustainable developments that will stand the test of time and neighbourhoods that are both inclusive and accessible.

"The formation of Milverton Homes and our partnership with Vistry has allowed the council to take a stewardship role in the allocation of affordable and energy efficient homes, such as these to those who are struggling to get on the housing ladder."



Case study

McCarthy Stone: The role of retirement housing in the journey to net zero

In order to tackle the housing crisis most effectively, it's vital that we build more homes that deliver for a variety of different needs, circumstances and lifestyles. One such area where attentions need to focus is the expansion of retirement housing. This is important not just because of the UK's ageing population, but because of the environmental benefits such properties can deliver.

These benefits have been highlighted in research produced by public policy consultancy WPI Strategy, which after examining properties built in 2021 by McCarthy Stone, found that each of their apartments could save up to two tonnes of CO₂ per year compared to a standard new-build house, creating a 'downsizing dividend'.

In addition, the report found a 'home improvement dividend' of between 0.3 and 0.5 tonnes less CO₂ a year caused by younger homeowners who move into the vacated properties and make energy efficient improvements to that home. Due to the central location of retirement properties, the report also identified a significant carbon saving of around 0.35 tonnes per year as a result of reduced driving, with retirement developments typically well-located on central, town centre sites.

Taken together, retirement housing could remove up to 60,000 tonnes of carbon from the atmosphere per year if 30,000 new retirement properties were built, meeting the level of demand for retirement living (at present around just 7,500 units are built each year). It could also save downsizers considerable money on their energy bills; research shows that the typical net saving of running a McCarthy Stone retirement apartment when compared to a three-bedroom house is up to £1,200 per year.



In terms of construction methods, the developer announced a commitment in February 2022 to build 40 new retirement developments in full using modern methods of construction (MMC), with an ambition for 50% of its future retirement communities to be built in this way.

The MMC solution will be provided in partnership with Leeds-based Sigmat using its Light Gauge Steel Framing (LGSF) off-site structural solution. As such, McCarthy Stone's MMC plan supports the Government's Heat and Building Strategy to reduce carbon emissions, with each new retirement community built using MMC seeing an improvement in building performance, (fuel usage and thermal transmittance), in comparison to those built using traditional methods.

Case study

Cala Homes: Maidenhill, Newton Mearns, Glasgow

Innovative new technology which could enable new communities across the nation to become significantly more sustainable is being used for the first time in the UK thanks to a partnership between Cala Homes, E.ON, Energy Assets and SP Energy Networks. Together, they are piloting a bespoke solution which helps harness green energy to work towards decarbonising the grid.

The solution is designed to allow energy generated in a home – for example through PV panels – which is not consumed right away, to be exported and used elsewhere, either in other homes in the area or into the grid. It also ensures the energy being transferred to the grid does not exceed its maximum load.

Through gateways installed in each home, the smart solution manages the energy flows, enabling the connection of technologies like PV panels, air source heat pumps and electric vehicle charging points to work in harmony.

By allowing the load of green energy within a large development to be managed without overwhelming the grid, Cala believes it will have more opportunity to roll out sustainable technology, contributing to the net zero operation of homes.

Without a solution like this, certain sites would require significant investment in additional substations, which could make them unviable, but Cala believes that with this smart load management system, the possibilities for creating, harnessing and using green energy are greatly enhanced, offering wider implications for housebuilding across the UK and beyond.



The dynamic technology is being piloted in an initial 77 homes at Cala's flagship development within the new 800-home Maidenhill community in Newton Mearns, near Glasgow, with plans to roll it out further thereafter.

Stephen Kelso, Group Product Design Manager for Cala Homes, said: "Building more sustainable communities is a huge task for the housebuilding sector and a major focus for Cala. New, innovative technology is vital to this, and we've been researching and trialling tech that can help us make net zero carbon a reality – but it's not a case of just switching this on. The right infrastructure needs to be in place to support it.

"Communities like Maidenhill – with 800 homes overall, a new primary school and community amenities – have huge implications for the availability and use of energy. Making a site of this size as sustainable as possible brings additional considerations and puts more pressure on the grid. So, we asked the question: how do we meet this challenge and allow a development like this to fulfil its green energy potential?

"The result is what we believe to be a unique collaboration between a housebuilder, energy company and network operator to find a solution. The technology developed by E.ON is the first of its kind in the UK and there are plans to roll it out in other territories."

Appendix JS6

Summary of relevant SoS appeal decisions



Affordable Housing as a Separate Material Consideration

1. Regarding the weight to be attached to the proposed affordable housing benefits at the appeal site, as I set out in my proof of evidence, the need is acute, the benefits are considerable, and the weight in the planning balance should be **substantial**. Affordable housing is a material benefit and should therefore be awarded its own weight in the planning balance.
2. Many appeal decisions issued by Inspectors and the Secretary of State (“SoS”) have recognised affordable housing as an individual benefit and have specifically awarded affordable housing provision its own weight in the planning balance. Some examples are summarised below.

Appeal Ref.	Site Name	Decision Type	Decision	Date	Paragraph Ref.	Weight to Affordable Housing	Paragraph Text
APP/M0655/W/17/3178530	Land at Peel Hall, Warrington	SoS	Allowed	09-Nov-21	24	Very substantial	<i>" He further agrees (IR524) that <u>the provision of affordable housing attracts very substantial weight</u>, for the reasons given."</i>
APP/A2280/W/20/3259868	Land off Pump Lane, Rainham, Kent	SoS	Dismissed	03-Nov-21	33	Substantial	<i>"...The Secretary of State considers that the weight to be afforded to the delivery of housing in the light of the housing land supply shortfall is substantial (all IR12.201). Similarly, the Secretary of State agrees at IR12.202 that for the reasons given there is an acute need for affordable housing and in light of that, <u>the delivery of at least 25% of the residential units as affordable accommodation attracts substantial weight</u>."</i>
APP/W1850/W/20/3244410	Land North of Viaduct adj. Orchard Business Park, Ledbury	SoS	Allowed	15-Mar-21	27	Substantial	<i>"For the reasons given in IR16.122-16.123, the <u>Secretary of State also gives substantial weight to the delivery of affordable housing</u>."</i>
APP/Y0435/W/17/3169314	Newport Road and Cranfield Road	SoS	Dismissed	25-Jun-20	32	Significant	<i>"Weighing in favour of the proposal, <u>the Secretary of State affords the provision of affordable housing significant weight</u> and also affords the provision of market housing significant weight."</i>
APP/E5330/W/19/3233519	Land at Love Lane, Woolwich	SoS	Dismissed	03-Jun-20	28	Substantial	<i>"The Secretary of State considers that, in terms of benefits, <u>the provision of housing benefits and affordable housing benefits each carry substantial weight</u>."</i>

APP/Q3115/W/1 9/3230827	Oxford Brookes University, Wheatley Campus	SoS	Allowed	23-Apr-20	35	Very substantial	35 "...Given the seriousness of the affordable housing shortage in South Oxfordshire, described as "acute" by the Council, he agrees with the Inspector at IR13.111, that the delivery of up to 500 houses, 173 of which would be <u>affordable, are considerations that carry very substantial weight.</u> " IR 13.111 " <u>The Framework attaches great importance to housing delivery that meets the needs of groups with specific housing requirements. In that context and given the seriousness of the affordable housing shortage in South Oxfordshire, described as "acute" by the Council, the delivery of up to 500 houses, 173 of which would be affordable, has to be afforded very substantial weight irrespective of the fact that the Council can demonstrate a 3/5YHLS.</u> "
APP/G1630/W/1 8/3210903	Land at Fiddington, Ashchurch near Tewkesbury	SoS	Allowed	22-Jan-20	20	Substantial	"...The Secretary of State agrees with the Inspector, and further considers that <u>the provision of affordable housing in an area with a serious shortfall would be of significant benefit and attracts substantial weight in favour of the proposal.</u> "
APP/A0665/W/1 4/2212671	Darnhall School Lane	SoS	Dismissed	04-Nov-19	28	Substantial	"The Secretary of State agrees that the social benefits of <u>the provision of affordable housing should be given substantial weight</u> , for the reasons set out at IR408-411."
APP/P4605/W/1 8/3192918	Former North Worcestershire Golf Club, Hanging Land, Birmingham	SoS	Allowed	24-Jul-19	33	Significant	30 " <u>Weighing in favour the Secretary of State considers that the 800 family homes, including up to 280 affordable homes is a benefit of significant weight.</u> "
APP/E2001/W/1 8/3207411	Hutton Cranswick	Inspector	Dismissed	05-Jun-19	39	Significant	"However, <u>aside from the provision of affordable housing (to which I attach significant weight)</u> , the provisions are essentially intended to mitigate the effect of the development-although they could be of some benefit to the wider public, and I have therefore given them very limited weight."
APP/P0119/W/1 7/3191477	Coalpit Heath, South Gloucestershire	Inspector	Allowed	06-Sep-18	61	Substantial	"There are three different components of the housing that would be delivered: market housing, affordable housing (AH) and custom-built housing(CBH). <u>They are all important and substantial weight should be attached to each component for the reasons raised in evidence by the appellants, which was not substantively challenged by the Council, albeit they all form part of the overall housing requirement and supply. The fact that the much needed AH and CBH are elements that are no more than that required by policy is irrelevant –they would still comprise significant social benefits that merit substantial weight.</u> "
APP/L3815/W/1 6/3165228	Land at the Corner of Oving Road and A27, Chichester	Inspector	Allowed	18-Aug-17	63	Substantial	"Moreover, the provision of 30% policy compliant affordable houses carries weight where the Council acknowledges that affordable housing delivery has fallen short of meeting the total assessed affordable housing need, notwithstanding a recent increase in delivery. With some 1,910 households on the Housing Register in need of affordable housing, in spite of stricter eligibility criteria being introduced in 2013 there is a considerable degree of unmet need for affordable housing in the District. <u>Consequently I attach substantial weight to this element of the proposal.</u> "

APP/P1425/W/1 5/3119171	Mitchelswood Farm, Newick, Lewes	SoS	Allowed	23-Nov-16	18	Significant	"For the reasons given at IR196-201 the Secretary of State agrees that <u>the provision of 20 affordable homes is a tangible benefit of significant weight.</u> "
APP/G1630/W/1 4/3001706	Cornerways, High Street, Twynning	Inspector	Allowed	13-Jul-15	63	Very substantial	"... Table 7.16 of the Strategic Housing Market Assessment [SHMA] Update [CDA17] identifies that the net annual need for affordable housing in Tewkesbury is 587 dwellings. This is more than twice the equivalent figure for the neighbouring District of Wychavon, despite the fact that Tewkesbury's population is little more than two thirds of that in Wychavon. <u>The Inspector in the Wychavon appeal found that the provision of affordable housing in that case: "...is a clear material consideration of significant weight that mitigates in favour of the site being granted planning permission"; the Secretary of State agreed.</u> Given the much larger quantum of identified need in Tewkesbury and the magnitude of the accumulated shortfall in affordable housing delivery, <u>it would be appropriate to attribute very substantial weight to this important benefit of the proposal.</u> "
APP/E2001/A/13 /2200981 and APP/E2001/A/14 /221394	Brickyard Lane, Melton Park, East Riding	SoS	Dismissed	25-Jun-15	11	Substantial	"However, he also agrees with the Inspector's conclusion that <u>substantial weight should attach to the proposals in proportion to the contribution they would make to the supply of affordable housing.</u> "
APP/K2420/A/13 /2208318	Land surrounding Sketchley House, Watling Street, Burbage, Leicestershire	SoS	Allowed	18-Nov-14	13 / IR 6.19	Substantial	13. "For the reasons given at IR11.20-IR11.23, the Secretary of State agrees with the Inspector's findings in relation to affordable housing, and with his conclusion at IR11.23 that the need for affordable housing is acute and warrants the provision offered by the appeal proposal." IR 6.19 "In those circumstances, there is no reason to depart from the statutory basis to providing for affordable housing set out in policy 15 of the Core Strategy. The policy takes account of the needs identified in the SHMA (2008) and was found to be sound by the Core Strategy Inspector. Hence, although <u>substantial weight should be given to the affordable housing offered, that weight should not be overwhelming.</u> "
APP/H1840/A/1 3/2199085 and APP/H1840/A/1 3/2199426	Pulley Lane, Droitwich Spa	SoS	Allowed	02-Jul-14	23 / IR 8.126	Very significant	23. "For the reasons given at IR8.112-8.126, the Secretary of State agrees with the Inspector's conclusion at IR8.127 that the Council does not have a 5-year supply of housing land and the appeal scheme is necessary to meet the housing needs of the district, including the need for affordable housing." IR 8.126 "It seems to me that the Council has largely ignored the affordable housing need in its evidence. The poor delivery record of the Council has also been largely overlooked. The Council's planning balance is struck without any apparent consideration being given to one of the most important reasons why housing in Droitwich Spa is needed. <u>From all evidence that is before me the provision of affordable housing must attract very significant weight in any proper exercise of the planning balance.[4.47]"</u>

Appendix JS7

Summary of relevant Inspector appeal decisions



Relevant Secretary of State and Appeal Decisions

- 1.1 Brief summaries of appeal decisions relevant to the appeal, are summarised below. The full decisions are included as Appendices.

Secretary of State Decision: Pulley Lane, Droitwich Spa (July 2014) – CD6.28

- 1.2 The Inspector recognised that the contribution of the scheme in meeting some of the affordable housing deficit in the area cannot be underestimated (Inspector’s Report, Page 89). The Inspector set out under paragraph 8.123 of their Report that:

“The SOS should be aware that a major plank of the Appellant’s evidence is the significant under provision of affordable housing against the established need Figure and the urgent need to provide affordable housing in Wychavon. If the position in relation to the overall supply of housing demonstrate a general district-wide requirement for further housing, that requirement becomes critical and the need overriding in relation to the provision of affordable housing. The most recent analysis in the SHMA (found to be a sound assessment of affordable housing needs) demonstrates a desperate picture bearing hallmarks of overcrowding, barriers to getting onto the housing ladder and families in crisis.”

- 1.3 The Inspector continued under paragraph 8.123 of his report to state that *“the SHMA indisputably records that affordability is at crisis point. Without adequate provision of affordable housing, these acute housing needs will not be met. In terms of the NPPF’s requirement to create inclusive and mixed communities at paragraph 50, this is a very serious matter. Needless to say, these socially disadvantaged people were not represented at the Inquiry.”*

- 1.4 The level of significance attached to affordable housing provision was addressed through paragraph 8.124 of the Inspectors Report where he stated that:

“These bleak and desperate conclusions are thrown into even sharper focus by an examination of the current circumstances in Wychavon itself. Over the whole of the District’s area, there is presently a need for 268 homes per annum. These are real people in real need now. Unfortunately, there appears to be no early prospect of any resolution to this problem...Given the continuing shortfall

in affordable housing within the District, I consider the provision of affordable housing as part of the proposed development is a clear material consideration of significant weight that mitigates in favour of the site being granted planning permission” (Inspectors Report, page 111).

1.5 This statement is supplemented at paragraph 8.125 by the Inspector considering that *“from all the evidence that is before me the provision of affordable housing must attract very significant weight in any proper exercise of planning balance.”*

1.6 The Secretary of State concluded that both schemes delivered *“substantial and tangible”* benefits, including the delivery of 40% *“much needed”* affordable housing.

Appeal Decision: Land North of Upper Chapel, Launceston (April 2014) – CD6.20

1.7 The Inspector acknowledged at paragraph 41 that the appeal proposal would have a very significant social role in bringing forward 40 affordable housing units, noting that there was an acute shortage of affordable housing in Launceston. The Inspector also noted that the need for additional affordable housing was all the greater having regard to other sites negotiating lower proportions of affordable housing in lieu of other planning obligation contributions.

1.8 At paragraph 52 of their report, the Inspector considered that *“there is an acknowledged acute need for affordable housing in this locality and the proposed scheme would bring forward 40 affordable units. This has to be a substantial benefit of the scheme.”* In concluding the Inspector found that the benefits of the proposals outweighed the small degree of policy conflict.

Appeal Decision: Land adjacent to Cornerways, High Street, Twynning, Tewkesbury (13 July 2015) – CD6.17

1.9 The appeal was in respect of a proposed development of 58 dwellings with 36% affordable housing in Tewkesbury Borough Council administrative area.

1.10 In allowing the appeal the Inspector commented at paragraph 63 of their report that:

“Mr Smith agreed that the delivery of 21 affordable dwellings is a social benefit of the proposal to which it was appropriate to give substantial weight. There is a great deal of unchallenged evidence before the Inquiry to demonstrate that there is a housing crisis in this country that manifests itself in this Borough in terms of an acute shortage of affordable housing. Table 7.16 of the Strategic Housing Market Assessment [SHMA] Update [CDA17] identifies that the net annual need for affordable housing in Tewkesbury is 587 dwellings. This is

more than twice the equivalent figure for the neighbouring District of Wychavon, despite the fact that Tewkesbury's population is little more than two thirds of that in Wychavon. The Inspector in the Wychavon appeal found that the provision of affordable housing in that case: "...is a clear material consideration of significant weight that mitigates in favour of the site being granted planning permission"; the Secretary of State agreed. Given the much larger quantum of identified need in Tewkesbury and the magnitude of the accumulated shortfall in affordable housing delivery, it would be appropriate to attribute very substantial weight to this important benefit of the proposal". (My emphasis)

- 1.11 In allowing the appeal, the Inspector gave weight to the scheme's significance in meeting the needs of different groups in the Borough. The Inspector highlighted, at paragraph 65, this need which was *"underlined by the stark figure that this scheme alone would result in a 100 % increase in shared ownership properties in the Parish of Twyning, as well as a 27 % increase in social rented properties"*.

Appeal Decision: Oldmixon Road, Weston-super-Mare (10 April 2017) – CD6.25

- 1.12 The appeal proposals made provision for 150 dwellings of which 30% (45 dwellings) would be provided as affordable housing. Paragraph 92 of the Inspectors report acknowledged that the Sustainable Community Strategy *"recognises that one of the main challenges is the growing number of people seeking social housing in the area"* and that *"it is apparent that the need for more affordable housing in North Somerset has been, and continues to be, an issue of concern."*
- 1.13 The Inspector went on at paragraph 94 to note the 3,608 households on the Housing Register at 1 April 2016 with paragraph 95 referring to the fact that the average waiting time for an affordable home in North Somerset was 735 days. In addition to which reference was drawn to the 34% increase in homelessness, high levels of affordability ratios and 32% house price increase over the past five years. Following on from this at paragraph 96 he found that *"the need in the district is glaring with a significant number of people having bleak housing prospects for the foreseeable future"*.
- 1.14 Furthermore, the Inspector made clear at paragraph 97 that *"although the Council sought to undermine the veracity of the affordable housing obligation, in the absence of a viability appraisal, nothing of any substance was placed before me. It is also telling that the appellant has not considered the 30% contribution to be unrealistic on the grounds of lack of viability"*.

- 1.15 Paragraph 101 set out that the Inspector “*remain[ed] content to afford substantial weight to the benefit arising from the market and affordable homes which the scheme would deliver*”.

Appeal Decision: Land South of (East of Griffin Place) Radwinter Road, Swards End, Saffron Walden (5 October 2022) – CD6.22

- 1.16 The appeal proposals sought to provide up to 233 dwellings of which policy compliant (40%) levels of affordable housing were provided on this edge of settlement site. At paragraph 68, Inspector Masters states that:

“Turning to consider the benefits of the proposal, there is a general imperative to boost the supply of housing land. The delivery of dwellings in an authority which does not have a 5 year supply of housing sites attracts substantial weight. In addition, the proposal would provide 40% affordable housing as well as 5% custom build housing. The delivery of affordable housing would accord with the objectives of policy H9 of the UDLP. Based on the evidence I heard in relation to this matter, in a district where there is a clear need for such provision to be made, these factors also attract substantial weight.” (my emphasis).

Appeal Decision: Land at Dene Road, Cotford St Luke (9 February 2023) – CD6.18

- 1.17 It is worth noting that this issue was considered in a February 2023 appeal decision at Land at Dene Road, Cotford St. Luke. Inspector Bristow found at paragraphs 100 to 101 of his decision that:

“In TBDC’s Strategic Housing Market Assessment of 2016 (‘SHMA’), affordable housing needs were forecast to be 161dpa. However, in SWTC’s Local Housing Needs Assessment document of 2020 (‘LHNA’), affordable housing needs were forecast, across a much wider geography following the local government reorganisation referenced in paragraph 4 of this decision, to be only 158dpa. Given evidence of the decreasing affordability of housing based on affordability ratios, and also rising numbers of individuals on the Somerset Homefinder Register, that is surprising.

I understand that differential arises, in large part, as the SHMA was based on 29% of household spending being devoted to housing costs, whereas the LHNA is premised on up to 35% of household spending being used in that way. In itself that reflects the decreasing affordability of housing. Inputting into the calculation that households are necessarily devoting more of their income

to meeting housing costs poses a real risk of circularity and underrepresentation of need." (my emphasis).

Overview of Secretary of State and Appeal Decisions

1.18 The decisions above emphasise the great weight which the Secretary of State has, on various occasions, attached to the provision of affordable housing in the consideration of planning applications. Inspectors have agreed that affordable housing is a significant benefit in its own right. Some of the key points I would highlight from these examples are that:

- Affordable housing is an important material consideration;
- The importance of unmet need for affordable housing being met immediately;
- Planning Inspectors and the Secretary of State has attached State have attached very significant weight to the provision of affordable housing; and
- Even where there is a five-year housing land supply material benefits of the scheme can weigh in favour of development.