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**Affordable housing consultation - Frequently asked Questions.** Feb 2021

The consultation is paused until 1st May 2021 to provide more information and time. If you have a query which is not answered by any of the information on [www.hever.org](http://www.hever.org) then please contact the Clerk ([clerk@hever.org](mailto:clerk@hever.org)).

HPC will continue to update the website with further information and plans for May onwards and how to submit comments (from May).

**PROCESS**

**A1. What is the relationship between Hever Parish Council and English Rural Housing association and who are ERHA?**

ERHA was *invited* *by* the Parish Council (after considering all the relevant housing associations) to work with them to consider the options for providing affordable homes for those in the Parish. ERHA is a rural specialist, a leading developer of affordable housing in small villages. In Kent they currently own and manage local needs developments in 31 villages.

There is **no** contract, obligation or incentive (financial or otherwise) in this proposal for HPC. The Parish Council won’t own the land or housing or have any financial interest or risk in the scheme whatsoever.

ERHA are a ‘not for profit’ registered society under the Co-operative and Community Benefit Societies Act 2014, with charitable rules. They are also a Registered Provider with the Government Agency, Homes England, so that service standards and the use of public money for housing is regulated.

English Rural believes the long term security of tenure is important for those that they provide homes to and also the communities they live in. This approach of a ‘generational tenancy’ is on the basis that it was particularly designed to provide young families security whilst children went through education. This approach is about sustaining and building communities though housing local people close to their support networks. All homes built by English Rural are occupied by local people with a proven connection to the village. These homes remain in the community in perpetuity; tenants do not have a Right to Buy and Shared Owners cannot staircase and buy the whole property outright.

Please see their website for more information <https://englishrural.org.uk/>

**A2. Why are HPC getting involved in considering affordable housing?**

National and Regional data gives us a guide to what the issues are (affordability ratios etc.) and the housing needs survey (2018) completed gives us more specific local information.

All parish councils are obliged by the District Council to undertake a housing needs survey every 5 years. We had this done by an external body in 2018 (Actions with Communities in Rural Kent) as HPC are not rural housing experts.

Parish based housing needs surveys are the established and most trusted route towards the identifications of local housing needs. They are considered to be the most accurate “snapshot” of housing need and can be followed up with a second stage survey. A survey is valid for 5 years. The first survey (2018) has indicated that there is a housing need in the village; a second stage survey will update that level and type of need as it may have changed over the time period and will be done once a site is selected.

**A3.** **What is Sevenoaks District Councils role?**

The draft SDC Local Plan includes a commitment to undertake a 5 year rolling programme of surveys across all 31 Parish/Town Councils. This will provide comprehensive and comparable data on housing need, at the very local level, both rural and urban. This will inform potential rural exceptions housing schemes (under Core Strategy Policy SP3).

So the Hever survey will be repeated nearer to 2023. The motivation for the parish council is to consider the results from this survey (plus other national and local evidence). Currently, those locals in housing need and on the housing register are part of the *District wide* register and are unlikely to be allocated a home in the parish where they wish to live. Were affordable homes to be built in the parish, HPC believe locals would prefer for them to be allocated to only those with a connection to the parish, hence the consultation to ask locals.

**There is absolutely no obligation or pressure from Sevenoaks District Council on HPC in this consultation.**

Sevenoaks District Council also undertake their own periodic “call for sites”, a number of sites were not included in the SDC Local Plan, which HPC studied again as part of the process of site selection to see if any of those sites may be suitable for a rural exception site;

[**https://www.sevenoaks.gov.uk/downloads/file/1929/sup018\_site\_appraisals\_-\_sites\_not\_included\_in\_the\_local\_plan**](https://www.sevenoaks.gov.uk/downloads/file/1929/sup018_site_appraisals_-_sites_not_included_in_the_local_plan)

**A4. Why now?**

National and Regional data gives us a guide to what the local issues are and the Housing needs survey completed gives us more specific local information. Parish based housing needs surveys are the established and most trusted route towards the identifications of local housing needs. They are considered to be the most accurate “snapshot” of housing need and are accepted nationally as planning policy evidence.

All parish councils are obliged by the District Council to undertake a housing needs survey every 5 years. We had this done by an external body (Actions with Communities in Rural Kent) as HPC are not rural housing experts, in 2018.

Clearly HPC are aware of the changing and challenging nature of the world we live in because of the pandemic. This has been taken into account by having a long consultation, in many different formats (papers delivered to every household, display boards across the parish, information on Facebook and [www.hever.org](http://www.hever.org) and an online survey, options to call or email the Clerk) - to make it as accessible and transparent as possible. Pre pandemic, a public consultation would have consisted of one afternoon and evening open “drop in” session to view plans, ask questions 1:1 and leave a written comment, not a public meeting. Public meetings are not recommended as they are not the best method to share information or receive feedback.

HPC absolutely reject the accusations that anything has been hidden or rushed through, there is no reason for HPC to do that.

To date, there has been roughly equal support and objection to the proposal so please bear in mind that not everyone may share your view or be as vocal about it. HPC wish to hear from anyone who wants to comment.

**The consultation will re commence on 1st May 2021.**

For information on the Housing needs survey <http://hever.org/973-2>

http://hever.org/wp-content/uploads/2018/08/Hever-HNS-Report-2018-final.pdf

<https://ruralkent.org.uk/services/housing/>

**A4. How does HPC benefit?**

It doesn’t in any way at all. HPC see this as an opportunity to explore the options and serve the local community. HPC have chosen to NOT just ignore the results of the survey or take the” easy” route – but instead, have chosen, as a Council to undertake this consultation. It is a consultation – to gather views and provide information to the questions asked. The parish council is there to represent locals, hence the consultation. This consultation and process is optional – we are responding to the survey and informal local requests for information on affordable housing.

There is **no** contract, obligation or incentive (financial or otherwise) in this proposal for HPC. The Parish Council won’t own the land or housing or have any financial interest or risk in the scheme whatsoever. **The 10 parish Councillors (who are all volunteers) give their time to support the community, with no financial or other gain, no allowances and no financial (or other) personal interests in this proposal.**

There is no obligation for HPC to support or provide affordable housing in the parish and Sevenoaks District Council are not dictating or deciding on this proposal.

*Should* it be supported by the community (which is why there is a consultation) and develop into a planning application, then Sevenoaks District Council would be the statutory planning authority, not the parish council.

**A5.** **How will HPC decide whether there is local support?**

**The consultation will re commence on 1st May – details to follow and of course will be in line with covid regulations.**

HPC will study and analyse the information and comments received carefully and make it public (anonymised) – a conclusion will be based on the parish wide consultation – comments received on the online survey, leaflets delivered to every household in Four Elms and emails / phone calls (from those who preferred to contact direct). HPC have worked really hard to make it as accessible as possible and see this as an opportunity to offer the community the decision, tricky though it may be.

To date, there has been approximately equal support and objection to the proposal.

If you need more information in order to form an opinion to responds to this consultation, then please do see all the links provided.

HPC are not trying to persuade locals one way or another – please submit your comments once the consultation re commences on 1st May, whatever they are.

**A6.** **Will the housing needs survey be repeated?**

Yes. A survey is valid for 5 years. The first survey (2018) has indicated that there is a housing need in the parish; a second stage survey will update that level and type of need as it may have changed over the time period and will be done once / if a site is selected.

**AFFORDABLE HOUSING**

**B1. Couldn’t the new housing in Edenbridge or on Brownfield sites provide affordable homes for Four Elms locals?**

***No.*** *Any affordable homes built in Edenbridge will be open to* ***anyone*** *on Sevenoaks District Council’s housing register to apply for, so not local needs housing.  Those in greatest need from anywhere in the Sevenoaks District (spread from Swanley in the north to Cowden in the South) will be given priority, so the chances of locals getting a home there are tiny. The homes in Edenbridge also may not be the type and size that local people to the parish need and probably not close enough to family / work they want to stay close to.*

***However, affordable homes built locally with ERHA would be only for those with a local connection*** *and could not be sold to residents under the right to buy.*

A rural exception scheme is a Green Belt site exempt from some aspects of normal planning policy.  Planning consent is granted for limited development in exceptional circumstances. Independent studies are undertaken in Kent through Action with Communities in Rural Kent. Generally, evidenced need is found to increase if a scheme becomes more likely as those in need who hadn’t registered before (thinking it’d likely go nowhere) come forward.  The properties built are only available to those with a defined connection to the local area.  In doing so, the S106 agreement sets out those local connection rules and is legally binding.

Building on brownfield and other sites does not achieve the same protection.  In such brownfield cases, the housing is allocated to those on the local housing register and with a wider District connection (which could extend to the UK if changes in national policy were to once again promote wider social mobility, as has happened before - and as well as any other new rules introduced at District or National level) and, in addition, any tenants can mutually exchange with other tenants across the UK without any Local Authority intervention.  On general developments, one can set up a local lettings plan to prioritise those with a local connection, but these can be removed at any time by The District Council and/or the respective Housing Association and are not legally binding - hence the importance of the rural exceptions site approach.

**B2. How can the properties be ring fenced for locals forever?**

Affordable homes on a rural exception site can **only** be allocated to those with a local connection (anyone in housing need who currently lives or works in the Parish or who has resided within the Parish within the last 5 years and whose parents/grandparents still live there). This will be the case in “perpetuity”. Before any planning permission is granted, ERHA would enter into a legally enforceable planning agreement with the Local Authority to ensure that the affordable houses are allocated to local people and can never be sold on the open market.

**B3. I’m not on the SDC housing register and I would like to stay in the area but my salary means I can’t afford to move into the home I need locally, will this help me?**

Some people who are currently in housing need, e.g. a young couple living with their respective parents who want to move into their first independent home - may not have previously joined the SDC housing register as they feel their chances of being allocated a home locally are tiny. With this type of affordable housing however, local connection to the Parish comes first, so those with a strong connection to the Parish but a relatively low housing need (compared to others across the District) have a reasonable chance of being allocated a home.  This is quite different to the usual allocations process where homes are allocated to those in highest housing need (but allocated anywhere in the whole of the Sevenoaks District).

ERHA offer tenancies with a 1-year probationary period, for tenancy then generally up to 21 years.

**B4.** **How much affordable housing is there already in the Parish?**

As this comes under the DISTRICT wide housing register, these are not ring fenced for locals who need a home.

West Kent Housing association run the following;

* Hever – five rented homes and one leasehold home, total six
* Four Elms – 50 rented homes and four leasehold homes, total 54

There are currently (January 2021) no vacancies in affordable homes in the parish and if any were to become vacant, they are offered to those in the top of the queue in the entire District.

**B5.** **How many are proposed and what is the likely cost?**

The proposal is for 4 x one bedroom flats, 5 x 2 bedroom houses and 1 x 3-bedroom house for those in need of affordable housing. This will most likely be for rent (up to a 21 year lease to enable local families to remain in the area). The **approx**. cost to rent a 2-bedroom house would be in the range of £165- 175 / per week, which may be further reduced subject to costs. There would be a further 2 open market properties for sale (which would be advertised to locals first) and one 3-bedroom chalet / house (1 – 1.5 storeys) would be retained by the landowner. This is necessary as a cross subsidy to pay for the development and is standard practice.

**BULL LANE SITE**

**C1. Why not another site in the parish?** (See also B1.)

Ideally, there would be a number of sites to consider in all 3 villages in the parish. However, the entire parish (Four Elms, Hever and Markbeech) was studied, field by field, including all the brownfield sites, to reach a first list of possible locations. Each site was considered carefully in terms of geography, accessibility etc. and then availability by the landowner who was contacted. There were 9 areas in Four Elms, 2 between Four Elms and Hever, 9 in Hever and 3 in Markbeech initially considered. HPC also undertook a “call for sites” in 2019- advertising on banners, website, Facebook and in the Link magazine. HPC don’t have the landowner permissions to share the exact locations.

The call for sites <http://hever.org/hever-parish-council-call-for-sites-for-local-needs-homes>

During February 2021 we are undertaking another call for sites – once again advertising for local landowners to get in contact if they have an acre or more that they may wish to consider selling for affordable housing (noting that contact had already been made with landowners of sites in 2019).

At the moment, this Bull Lane site is the only site for consideration. Agreement has been reached in principle between ERHA and the landowner but nothing further.

**NOTE: HPC have had no part in landowner discussions.**

Sevenoaks District Council also undertake their own periodic “call for sites”, which HPC studied again as part of the process;

<https://www.sevenoaks.gov.uk/downloads/file/1929/sup018_site_appraisals_-_sites_not_included_in_the_local_plan>

This adjacent nursery site on Bull Lane - back in May 1986, planning permission was granted to Mr Owen to erect a green house and shed, subsequent planning was granted to Mr Bashford for larger greenhouses in 2001 with entrance to the site from Bull Lane. The Four Elms Nursery/ current landowner later obtained planning permission for the conservatory, café, toilets and more recently the gym. These were entirely separate planning matters and have no relevance to the current proposal. Sevenoaks District Council is the planning authority.

In this proposal, there would be a further 2 open market properties for sale (which would be advertised to locals first) and one 3-bedroom chalet / house (1 – 1.5 storeys) would be retained by the landowner. This is necessary as a cross subsidy to pay for the development and is standard practice.

**C2. What about traffic / access concerns along Bough Beech road?**

This would be considered (as with many planning aspects and details) as part of any planning application, should the proposal progress – speed surveys, traffic flows, safe sight lines and access, pedestrian routes etc. would all be critical. HPC are not Highway experts – we don’t have the answers to everything yet as this isn’t a planning application and therefore Highways haven’t done all the relevant assessments. Any planning application would of course be in the usual manner and open to anyone and everyone to contribute to.

This is still very much a **consultation** on the *principle* of an affordable housing scheme on this site.

Highways as standard expect to see a parking allocation of 2 spaces per dwelling in this type of location.

Provision for cycle parking / storage is also encouraged.

The relevant SDC policies include;

Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.

Policy T2 states that parking provision should be in accordance with KCC guidance.

Policy T3 also requires one electric vehicle charging point per dwelling to encourage sustainable transport.

Please see the summary written by HPC in 2019 regarding traffic issues at and related to the crossroads, including 2012 traffic survey carried out by KCC.

<http://hever.org/four-elms-traffic-calming-review-2019-summary>

**C3. Does this mean the Green Belt can be built on everywhere across the villages or next to this site?**

No. If this proposal progresses, it would as a Rural Exception site – only *considered* by the planners **because** it would provide affordable housing only for local people to meet an identified, specific need, as an exception. Any planning application would be considered by SDC (the statutory planning authority) noting the Green Belt status.

**C4. What about the wildlife?**

Again this would be very much considered, should the proposal progress, once all the required land, wildlife, environmental and other surveys are carried out as part of any planning application. Any planning application would of course be in the usual manner and open to anyone and everyone to contribute to.

**C5.** **What about any impact on nearby properties?**

This would be considered (as with many planning aspects and details) as part of any planning application, should the proposal progress – traffic flows, safe sight lines and access, pedestrian routes etc. would all be critical. HPC are not Highway experts – we don’t have the answers to everything as this isn’t a planning application and therefore all the required surveys have not been commissioned.

This is still very much a **consultation** on the *principle* of an affordable housing scheme on this site.

In accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan, any new proposed development should not result in excessive overlooking, result in visual intrusion or result in an unacceptable loss of daylight or sunlight enjoyed by the occupiers of nearby properties. It is not possible to undertake a proper assessment of the potential impact of a scheme upon neighbouring amenity without seeing further details of the design and orientation of the buildings. However, the following general principles will apply to any future assessment. With regards to addressing the potential impact of a proposed scheme upon neighbouring access to daylight, it will be necessary to demonstrate that the proposal meets the requirements of the 45-degree test. In order to fail the 45 degree test, a proposed scheme must fail on both plan and elevation. Further details of the test are set out on page 25 of the Residential Extensions SPD which is available on the SDC website.

With regards to the potential impact of a scheme upon neighbouring access to sunlight, it will be necessary to demonstrate that the proposed scheme does not result in excessive overshadowing based upon the extent and form of the new proposed dwelling in relation to the sun’s trajectory. With regards to the likely impact of any scheme upon neighbouring privacy, generally speaking any new proposed windows should be positioned so that they do not afford any direct views to neighbouring windows or neighbouring private amenity space at a distance of less than 21 metres. With regards to the potential impact of a scheme upon neighbouring outlook, this will need to be assessed at application stage.

**Where can I find out more?**

**Parish / District / County information**

For information on the 2018 Parish Housing needs survey <http://hever.org/973-2>

The rural housing enabler <https://ruralkent.org.uk/services/housing/>

The call for sites <http://hever.org/hever-parish-council-call-for-sites-for-local-needs-homes>

Sevenoaks District Council planning <https://maps.sevenoaks.gov.uk/planning/>

Sevenoaks Call for sites (not included in the Local Plan)

<https://www.sevenoaks.gov.uk/downloads/file/1929/sup018_site_appraisals_-_sites_not_included_in_the_local_plan>

Sevenoaks District Council

<https://www.sevenoaks.gov.uk/info/20014/planning_policy>

<https://www.sevenoaks.gov.uk/downloads/file/356/core_strategy_adopted_version_february_2011>

Core Strategy 2011 and the Allocation and Development Management Plan (ADMP) 2015 and Supplementary Planning Documents

Sevenoaks District 2017 Local Housing Needs study

*Please note that Sevenoaks District Council is currently undergoing the process to adopt a new local plan. As such, dependent upon the time of any planning applications submission local policy considerations may have changed. Planning decisions will be based upon the adopted local policies at the time of the decision.*

Kent Rural Homes Protocol [www.kenthousinggroup.org.uk](http://www.kenthousinggroup.org.uk)

English Rural Housing Association <https://englishrural.org.uk/>

**National information**

Rural Housing Alliance [www.ruralhousingalliance.net](http://www.ruralhousingalliance.net)

National Planning Policy Framework (NPPF)

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

OTHER INFORMATION;

<http://hever.org/role-of-the-parish-council>

<http://hever.org/%e2%80%a2planning-for-the-future-the-planning-white-paper-hever-parish-council-response-october-2020>

**DEFINITIONS**

**Affordable Housing** – generic term for all types of publicly subsidised housing (i.e. council and housing association homes). Housing owned by housing associations or other Providers approved by the District Council. The Government allows rents of up 80% of the local Open Market Rent. Any housing association or Provider proposing this level of rent requires the specific approval of the District Council. Homes are let on an Assured Tenancy and are allocated to applicants from the Sevenoaks District Housing Register. Homes are expected to be provided at a rent which does not exceed the relevant Local Housing Allowance, inclusive of service charges, i.e. Genuinely Affordable Housing.

Affordable housing should assist those whose housing needs are not met by the market.

This is defined in full in the National Planning Policy Framework Annex 2 Glossary (NPPF 2019).

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

**Eligible Persons** - Persons who are unable to afford suitable housing accommodation on the open market (whether by renting or purchasing) within the District and who have proved to the Council that they cannot afford to buy locally at current house prices within the limits of the disposable income available to them. i.e. applicants will come from the Sevenoaks District Housing Register

**Kent Homechoice** - The choice based lettings system operated throughout Kent on behalf of the subscribing local authorities, including Sevenoaks District Council, and Registered Providers, in the allocation of Social Rent and Affordable Rent housing.

**Social Housing** – generic term used for publicly subsidised affordable housing, i.e. council housing and housing association housing. Typically used from the start of stock transfers, as the term was adapted from the previous ‘council housing’ term. The term is defined in S68 of the Housing and Regeneration Act 2008.

**Social Rent Housing** (local definition) - Housing owned by housing associations, for which rents are determined through the National Rent Regime. This is usually equivalent to 50-60% of Open Market Rents.

Homes are let on an Assured Tenancy and are allocated to applicants from the Sevenoaks District Housing Register.

**Local Housing Allowance (LHA)** - The allowance (housing benefit/Universal Credit) paid to claimants, set by the Valuation Office Agency, which takes into account the size and make up of a claimant’s household and the location of the home.

**Rural Exceptions Housing** - Usually small sites, which are developed to provide affordable housing in response to an independently assessed evidenced need (i.e. Parish Needs Survey undertaken by the Rural Housing Enabler). The homes are provided for local people (local connection is strictly controlled and set out in the S106 Agreement), in perpetuity (i.e. there is no opportunity to purchase the home outright), in locations where planning constraints (e.g. Green Belt) mean development would not normally be permitted. SDC Core Strategy 2011 Policy SP4 and the December 2019 policy update to the Affordable Housing Supplementary Planning Document, set out full details.

Also known as “local needs housing”.

**Sevenoaks District Housing Register** (SDHR) - The housing register for applicants who are eligible under the Sevenoaks District Housing Register Allocations Scheme and who wish to apply for Social Rent and Affordable Rent housing in the Sevenoaks District. Vacancies are advertised through Kent Homechoice.