



Affordable Housing and Housing Mix

Supplementary Planning Guidance
May 2023

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Belfast
City Council



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1 Introduction

1.1 Overview

- 1.1.1 This Supplementary Planning Guidance (SPG) provides additional advice and guidance specific to the delivery of affordable housing as part of mixed tenure developments in Belfast. It is intended for use by developers, the public and by planning and housing officers in the assessment and delivery of planning proposals for new housing developments within Belfast.
- 1.1.2 SPG represents non-statutory planning guidance that supports, clarifies and/or illustrates by example policies included within the current planning policy framework, including development plans and regional planning guidance. The information set out in this SPG is therefore a material planning consideration in determining planning applications and should be read in conjunction with the existing planning policy framework, most notably the Strategic Planning Policy Statement (SPPS) for Northern Ireland and the Belfast Local Development Plan.
- 1.1.3 The benefits in effectively delivering affordable homes in mixed tenure developments in the city via policies HOU5 and HOU6 are significant, in terms of meeting affordable housing need by opening up access to land, reducing pressures on government funding and minimising issues associated with mono-tenure developments. This SPG is therefore important in creating clarity and transparency for landowners, developers and agents, in terms of how affordable homes will be delivered and will form a critical accompaniment to the Plan Strategy.

1.2 What is affordable housing?

- 1.2.1 For the purposes of planning and the Strategic Planning Policy Statement (SPPS) for NI, the updated definition of affordable housing introduced on 1 April 2021 is as follows:

"Affordable housing is

- a) Social rented housing; or*
- b) Intermediate housing for sale; or*
- c) Intermediate housing for rent*

that is provided outside of the general market, for those whose needs are not met by the market. Affordable housing which is funded by Government must remain affordable or alternatively there must be provision for the public subsidy to be repaid or recycled in the provision of new affordable housing"

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- 1.2.2 This definition does not materially affect the established and agreed meaning of social housing, as previously set out in the SPPS and the Belfast LDP Plan Strategy. However, the new definition provides a framework to enable the development of a wider range of intermediate housing products. More detailed information on the types of affordable housing currently available in Belfast can be found in Section 3.3 of this SPG.

1.3 Key Players

- 1.3.1 The implementation of affordable housing requires a collaborative effort from a number of the key stakeholders. Their specific roles in relation to this are set out below.

Belfast City Council

- 1.3.2 Belfast City Council is the planning authority, with responsibility to prepare the Local Development Plan (LDP) for the Belfast district, including associated planning objectives and policies. The Council determines the vast majority of individual planning applications within Belfast. The Council can negotiate details of affordable housing through the planning system and secure provision by means of "Section 76" planning agreements (s76 Agreements).

The Northern Ireland Housing Executive

- 1.3.3 The Northern Ireland Housing Executive (NIHE) is the strategic housing authority for Northern Ireland and its statutory function includes the examination and assessment of housing need. It is also responsible for management and delivery of the Social Housing Development Programme (SHDP) across the region. The number of homes to be provided in each programme year is governed by the amount of funding available from central Government through the Department for Communities (DfC). NIHE is also a landlord of approximately 84,600 social housing dwellings.
- 1.3.4 NIHE makes grant payments to Registered Housing Associations (RHAs) in respect of the construction and provision of social housing. NIHE are also named as a consultation body in Part 1, Section 2 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 and as a consultee in development management, 'where a proposal is likely to require a statement of affordable housing need'¹ as set out in schedule 3 to the Planning (General Development Procedure) (Amendment) Order (Northern Ireland) 2016.

¹ *Where NIHE is required to confirm the level of housing need in relation to a particular planning application*

Department for Communities

- 1.3.5 DfC is responsible for setting overall affordable housing policy. It also provides grant funding for and approves the SHDP annually. DfC may also provide grant or loan funding for intermediate housing and sets the eligibility and property value limits for intermediate housing products. DfC also have a role to play in developing and agreeing new affordable housing products.
- 1.3.6 In addition, it has the responsibility for the regulation of RHAs and for the Housing Association Guide (HAG), which sets the design standards that social housing must meet.

Registered Housing Associations (RHA)

- 1.3.7 A RHA is a private society, body of trustees or company that provides social rented and intermediate accommodation and may specialise in accommodation for special needs groups. They are the main developers of new social housing for rent in Northern Ireland, do not trade for profit and are regulated by DfC. The RHAs are responsible for the management of their own housing stock. The requirement for affordable housing units to be included within market developments provides RHA's with the opportunity to acquire units on sites that they would otherwise not have access to. The RHAs are listed on the website of the Northern Ireland Federation of Housing Associations (NIFHA)².

Department for Infrastructure

- 1.3.8 The Department for Infrastructure (Dfi) has responsibility for the preparation of the Regional Development Strategy (RDS), regional planning policy (e.g. Strategic Planning Policy Statement (SPPS)) and planning legislation. They also provide planning oversight and guidance for Councils, including the regional monitoring of performance. Dfi can also act as the planning authority in the determination of regionally significant or 'called-in' planning applications.

Developers

- 1.3.9 The developer plays a key role in the delivery of affordable housing, either constructing units directly or in partnership with a RHA through the transfer of units (or possibly land). They are required to engage early in the process with NIHE/DfC via a RHA in relation to need and will discuss planning requirements with the Council throughout the process.

² www.nifha.org

2 Policy Context

2.1 Regional planning policy and guidance

Regional Development Strategy (RDS) 2035

- 2.1.1 The Regional Development Strategy (RDS) recognises that the provision of more affordable housing helps to build strong and balanced communities and ensure an adequate and available supply of quality housing to meet the needs of everyone. Policy RG6 seeks to encourage mixed housing development, with neighbourhoods containing homes in a range of sizes and tenures, to facilitate stable communities and to reduce isolation, whilst RG8 requires the varied needs of the whole community to be met. Development plans are required to identify housing land to ensure an adequate supply, and to include land for social and intermediate housing.

Strategic Planning Policy Statement (SPPS) for Northern Ireland (2015)

- 2.1.2 The Strategic Planning Policy Statement (SPPS) identifies that the development plan process will be the primary vehicle to facilitate any identified need for affordable housing. It also recognises that improving health and well-being, as a core planning principle, can be assisted by supporting the delivery of homes to meet the full range of housing needs. Key aims for housing development to be met through the development plan, include achieving balanced communities and strengthening community cohesion, recognising that a variety of house types, sizes and tenures is fundamental to this.

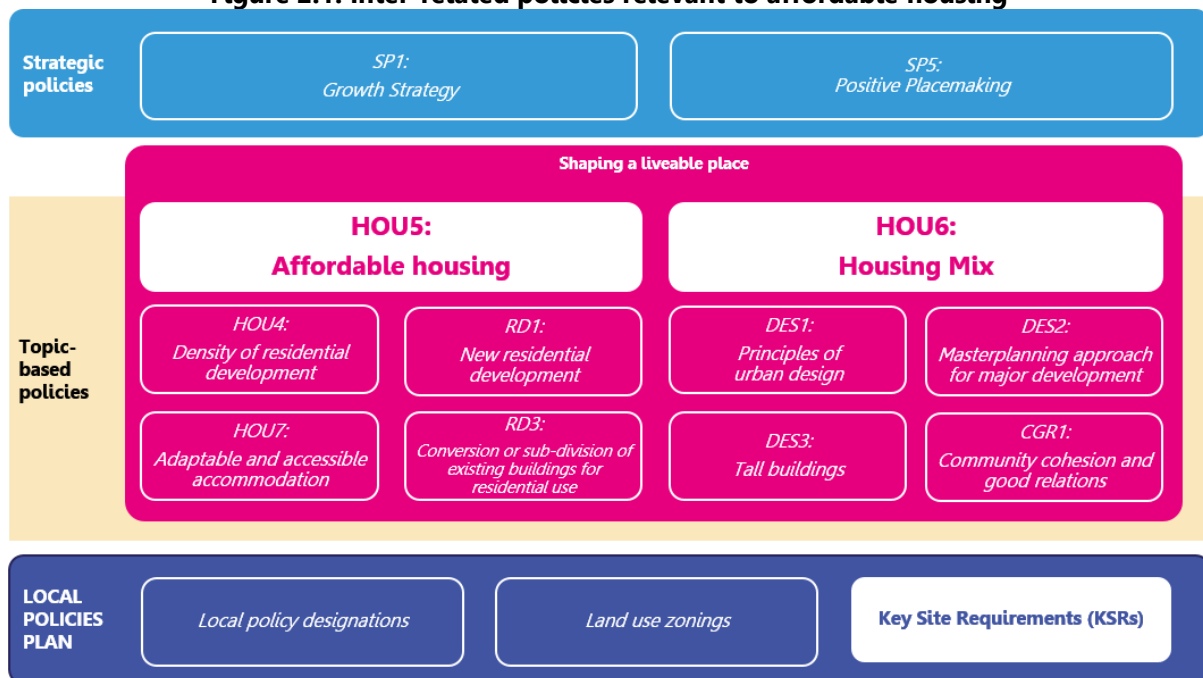
2.2 Belfast Local Development Plan

Plan Strategy

- 2.2.1 The Plan Strategy provides the strategic policy framework for the plan area as a whole across a range of topics. It sets out the vision for Belfast as well as the objectives and strategic policies required to deliver that vision. It also includes a suite of topic-based operational policies, including those relating to housing.
- 2.2.2 In relation to housing, the Plan Strategy seeks to address current and future residential needs by ensuring sufficient land is made available to meet future housing requirements. In relation to affordable housing, it aims to nurture balanced communities, promote regeneration and build strong inclusive and cohesive communities by achieving an appropriate mix of house types, sizes and tenures.
- 2.2.3 Primarily, this SPG supplements Policy HOU5: Affordable housing, which requires all new residential developments of 5 units or more or on sites of 0.1 hectares or more to provide affordable housing as part of the overall scheme. However, Section 4 also

supplements Policy HOU6: Housing mix. There are also a range of other relevant policies within the Plan Strategy as illustrated below.

Figure 2.1: Inter-related policies relevant to affordable housing



Local Policies Plan

- 2.2.4 Once adopted, the Local Policies Plan will set out site-specific proposals in relation to the development and use of land in Belfast. It will contain local policies, including site-specific proposals, designations and land use zonings required to deliver the Council’s vision, objectives and strategic policies, as set out in the Plan Strategy.
- 2.2.5 The Local Policies Plan will set out Key Site Requirements (KSRs) for certain zoned housing sites, which in some cases may include specific guidance in relation to affordable housing.

3 Affordable housing

3.1 Introduction

3.1.1 The following sections break down the specific requirements of Policy HOU5 and sets out exactly what is required in order to meet the affordable housing obligations.

3.2 When is affordable housing required?

Policy HOU5 – Affordable housing

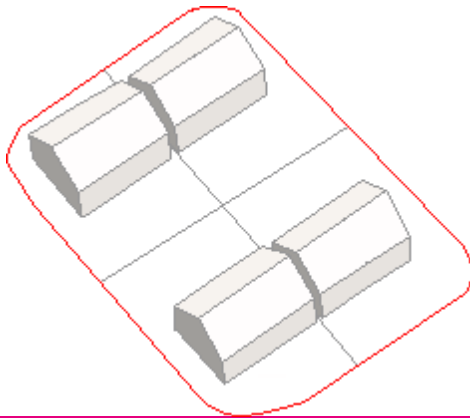
Planning permission will be granted for residential development on sites greater than 0.1 hectares and/or containing 5 or more dwelling units where a minimum of 20% of units are provided as affordable housing...Any proposal for housing that is considered to be artificially dividing a larger site to circumvent the affordable housing requirement will not be permitted...

3.2.1 The requirements of Policy HOU5 will apply to proposals for housing development and mixed use development that incorporate an element of housing, together with proposals for redevelopment, conversions and subdivisions of existing buildings, where the number of dwelling units created is five or more. For the avoidance of doubt, a small scale development involving 100% social housing may be deemed to meet the requirements of this policy, where this addresses an identified need and is able to contribute towards sustainable and balanced communities (see provisions in Section 4.4.8 on balanced and sustainable communities). However, larger areas of mono-tenure social housing are not deemed to deliver sustainable communities.

Site size and threshold

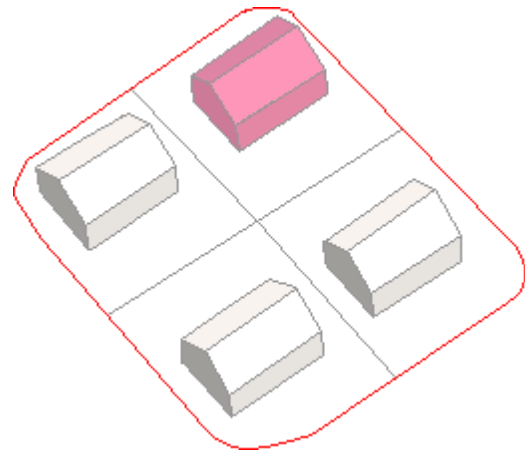
3.2.2 Policy HOU5 requires affordable housing to be included on all sites greater than 0.1 hectares (ha) or on sites with a capacity for 5 or more units. This threshold ensures that concerns around financial viability are offset for particularly small schemes, reducing the burden on small-scale developments. Where a site is smaller than 0.1ha, but is capable of accommodating 5 or more units, the requirements of Policy HOU5 will apply. Equally, the requirements of Policy HOU5 also apply where a site is greater than 0.1ha, but fewer than 5 residential units are proposed. This is most likely to involve a mix of uses within a single development (see Figure 3.1 overleaf for illustrative examples).

Figure 3.1: Illustrations of on-site affordable housing requirements

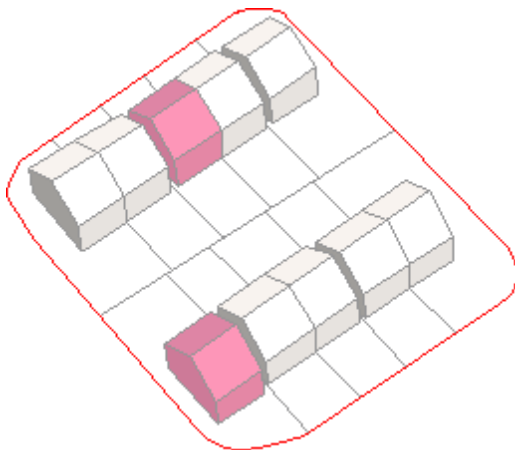


Plot size: Less than 0.1 ha
Units: 4 detached houses at appropriate density
Affordable housing requirement: 0 units

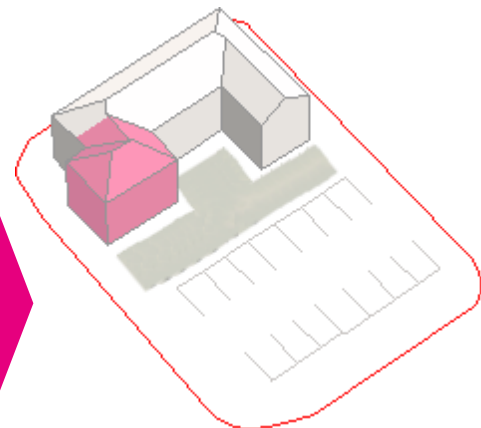
Plot size: Greater than 0.1 ha
Units: 4 detached houses at artificially low density (5 units could be accommodated in keeping with surrounding densities)
Affordable housing requirement: minimum of 20% (1 unit)



Plot size: Greater than 0.1 ha
Units: 10 units, mix of semi-detached and detached houses
Affordable housing requirement: Minimum of 20% (2 units)



Plot size: Less than 0.1 ha
Units: 8 apartments in low rise building
Affordable housing requirement: Minimum of 20% (2 units)



Plot size: Greater than 0.1 ha
Units: 4 apartments above retail units in low rise building
Affordable housing requirement: Minimum of 20% (1 unit)

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- 3.2.3 The Council will be alert to proposals that seek to avoid the requirements of Policy HOU5, being deliberately designed to remain below the threshold when they would otherwise be promoted as larger schemes. This has been taken into account in the wording of Policy HOU5. This issue is likely to arise in cases where, for example:
- The site is zoned for housing and adjoins a broader area of residential zoning;
 - The subject site has another similar planning application for residential development from the same applicant in close proximity; or
 - The subject site and surrounding lands are in the same ownership, or are divided into multiple ownership in advance of making a planning application.
- 3.2.4 The Council will consider site capacity and whether a proposal makes optimum use of the land and will take account of the development potential of all adjoining zoned or un-zoned sites to ensure that development proposals do not take place in a piecemeal fashion. Where the sub-division of land has resulted in two or more sites that fall below the policy thresholds, the Council will treat them as one site for the purposes of applying Policy HOU5.

Proportion

- 3.2.5 Policy HOU5 requires a minimum of 20% of units to be provided as affordable housing. This falls significantly short of the actual affordable housing need in Belfast and, as such, should be considered a minimum. Therefore, where 20% of the total number of units would result in a fraction of a unit, this should be rounded up to the nearest whole unit as a minimum, which will help to maximise the overall number of housing units delivered in total. This approach is illustrated in Figure 3.2 below.
- 3.2.6 However, it should also be noted that where it can be demonstrated that it is necessary and viable to provide a higher proportion of affordable housing, the Council will expect developments to do so. In this context, it is important to note that KSRs pertaining to certain larger housing sites in the plan may seek a higher contribution of affordable housing. Other Supplementary Planning Guidance (SPG), in the form of master plans, should also be taken into account where relevant, depending on the location of a specific development.
- 3.2.7 In exceptional circumstances, there may be cases where abnormal costs or constraints and/or the mix of house types and tenures required may result in a proposal being unviable and, therefore, unable to meet the above requirements in full. As with all proposals for development that trigger the requirements of Policy HOU5, this should be discussed with the Council at an early stage. In such circumstances, a Pre Application Discussion (PAD) is strongly recommended (see also Section 5.2).

Figure 3.2: Number of on-site affordable housing units required

No. of residential units in scheme	Minimum no. of affordable units required on site
<5	0
5	1
6	2
7	
8	
9	
10	
11	3
12	
13	
14	
15	
16	4
17	
18	
19	
20	
21+	20% rounded up to the nearest whole number of units

Exemptions

- 3.2.8 The following table lists examples of residential development that are usually exempt from the requirements of Policy HOU5 to provide affordable housing:

Figure 3.3: Exceptions to Policy HOU5

Type of development	Reason
Residential developments of less than 5 units	As per HOU5 – taking account of Belfast’s land supply and potential impact on smaller developers
Sub-divisions / conversions where the net increase in residential units is less than 5	As for above
Purpose built managed student accommodation	It is not a general needs form of housing
Residential institutions – care homes, nursing homes, supported housing schemes	They are not general needs forms of housing

What do I need to do?

- Determine whether affordable housing is required under policy HOU5:
 - Is the site greater than 0.1ha in size?
 - Are 5 or more residential units proposed?

Note: If the answer to either question is yes, affordable housing must be provided.
- Consult Figure 3.2 to determine how many affordable units will be required.
- Check for any additional policy requirements in the LDP or SPG. This could include, for example, key site requirements within the Local Policies Plan or local masterplans, which may provide site-specific advice, including obligations for affordable housing.

3.3 What can be included as affordable housing?

Policy HOU5 – Affordable housing

...Affordable housing should consist of social rented housing and/or intermediate housing...

- 3.3.1 Section 1.2 outlines the definition of affordable housing as revised by the DfC on 1 April 2021.
- 3.3.2 Fundamentally, affordable housing is available to households who otherwise could not house themselves, for example, because they would struggle to afford the cost of housing in the open market, or they need a specific type of house which is not commonly available. It is provided outside the general market i.e. it is not a home bought privately or a home rented from a private landlord. It is therefore not available to households who can meet their own housing needs without support.
- 3.3.3 Affordable homes are generally delivered via specially designed products, such as those detailed below, which are operated according to specific criteria to ensure that, where government funding is provided, it is targeted based on objective need. The criteria are specific to each product. Where further details in relation to products becomes available or where new affordable housing products are established by DfC, this guidance will be updated to reflect the most up-to-date position.
- 3.3.4 Depending on the type of intermediate housing product being provided, provision will need to be made for affordable housing that is funded by the Government to

remain affordable or alternatively provision made for any public subsidy to be repaid or recycled for the provision of new affordable housing. There are a number of mechanisms for achieving this, but in all cases a s76 Agreement will underpin such arrangements (refer to Section 5.3).

Social rented housing

- 3.3.5 Social rented housing is provided at an affordable rent by NIHE or a Registered Housing Association (RHA); that is, one which is registered and regulated by DfC as a social housing provider. Social rented accommodation should be available to households in housing need and is offered in accordance with the Common Selection Scheme, administered by the NIHE, which prioritises households who are living in unsuitable or insecure accommodation. Social housing development is controlled within financial parameters, set out by DfC under their Total Cost Indicators (TCIs).
- 3.3.6 Social rented housing can only be assigned to applicants registered on the common waiting list, in accordance with the Common Selection Scheme, in priority of need and must be controlled and managed by a RHA. Where there is a need for social housing identified by NIHE, proposals should incorporate an appropriate mix of social rented housing in terms of size and type of unit to meet the identified need. Proposals should also seek to provide other forms of affordable housing as required to contribute to balanced and sustainable communities. See also the framework for the consideration of an appropriate mix of affordable housing products in Appendix 3.

Intermediate housing for sale

- 3.3.7 Intermediate housing for sale helps households who can afford a small mortgage, but are not able to afford to buy a property outright, to become homeowners. There are two broad categories of products that are available that fall within the broad definition of intermediate housing for sale, which depend on whether the rental discount is being delivered with or without public sector support. They can be summarised as follows:

- **Subsidised Shared Ownership (SSO):**
Consists of shared ownership housing provided through a registered housing association (e.g. the Northern Ireland Co-Ownership Housing Association). The property is split between part ownership by the householder and part renting from a RHA. The proportion of property ownership and renting can vary depending on householder circumstances and preferences. It is made available to qualifying applicants based on a series of criteria. For housing to be suitable for

Affordable housing

such a use, it must also meet a series of property criteria including the market value of units³.

At present there are three shared ownership products available in Northern Ireland via the Co-ownership Housing Association, which can be summarised as follows:

- **Co-Own⁴:** A form of equity sharing whereby purchasers select a property on the open market and, by means of a 99-year equity sharing lease, takes ownership of between 50% and 90% of the purchase price, depending on how much they can afford. They then pay rent on the unowned portion, which is purchased by the Co-Ownership Housing Association. The expectation is that, over time, shared owners will buy a greater share of the home (sometimes referred to as 'stair-casing'), until they own the whole property.
- **Co-Own for Over 55s:** A new product designed for those in later life who wish to move to another home. The challenge that such people may face is that often their current home may not have the value (equity) they need to buy a new home or their savings aren't enough and getting a mortgage to cover the difference isn't an option. Under Co-Own for Over 55s, that we buy the property together with the customer –the customer uses the equity from the sale of their current home or savings and Co-Ownership provides the rest of the funding. The customer takes a share in the property (50% to 90%) and pays a rent of 2.5% of our investment in the home. The home can be anywhere, an existing or a new build property, and it should be suitable for their needs now without further immediate adaptation.
- **Rent to own:** Aims to help those who want to own their own home, but aren't quite in the position to buy yet, onto the property ladder. Under the scheme, an individual is provided with a fixed-term rental commitment whilst they take steps to improve their mortgagability. During the rental period, the individual will either pay reduced rents, allowing them to save for a deposit, or will receive a proportion of the market rent paid back at the end to be used as a deposit if they avail of the option to buy the home (either through straight sale or shared ownership). 'Rent to Own' is operated by OwnCo Homes Limited, which is subsidiary of Co-Ownership HA. This is only available for the rental of new build homes and the option to buy can be exercised any time after the end of the first year, up to the end of the third year.

³ The 'Applicant Criteria' (who is eligible) and 'Property Criteria' for shared ownership products are available on the relevant provider's website. E.g. the latest criteria for all of Co-Ownership's products are available at: <https://www.co-ownership.org/>

⁴ A similar shared-ownership product has also been piloted under the 'Fairshare' brand by a number of RHA, including Apex, Choice and Clanmil Housing. This was available for selected new build homes only

- **Discount Market Sale (DMS):**

Housing that is sold below local market value without any form of public sector subsidy to certain eligible households, determined with regard to local incomes and local house prices. Homes sold under this definition should have a discount of 20% and include provisions to remain at a discount for future eligible households. It can be delivered directly by a private landlord or RHA, but should be offered in line with the applicant and property eligibility criteria established by DfC in relation to the Subsidised Shared Ownership products outlined above. However, as it is offered outside of a formal DfC product, the regulation and monitoring of DMS units will be secured as part of the s76 Agreement (refer to Section 5.3).

3.3.8 Where residential units within a proposal are intended for private sale, consideration should be given to the inclusion of intermediate housing for sale as part of the development. In this regard, SSO units, offered a RHA are preferred to DMS units, given the regulation of RHAs afforded by DfC and the minimal impact SSO units are expected to have on overall scheme viability. See also the framework for the consideration of the most appropriate mix of affordable housing in Appendix 3.

Intermediate housing for rent

3.3.9 Intermediate housing for rent (also referred to as 'Intermediate Rent') is private rented housing which can offer an alternative to open market private rental for those whose needs are not met by the market. It is not a form of social housing and offers tenancies in a similar way to other private tenancies, but with additional benefits, including rents set at a level below what is available in the open private rented market. Intermediate Rent is most likely to be a suitable option for households who can pay more than social rents, but for whom open market rents present an affordability issue. Intermediate housing for rent is only made available to lower to moderate income households based on the household's total income or the proportion of income likely to be spent on housing costs. Intermediate housing for rent could form part of any housing development, as part of mixed tenure developments, including Build to Rent (BTR) schemes.

3.3.10 Two products are available that fall within the broad definition of intermediate housing for rent, which depend on whether the rental discount is being delivered with or without public sector support. They can be summarised as follows:

- **Subsidised Intermediate Rent (SIR):**

The parameters of an Intermediate Rent home have been established by DfC and are set out in their Intermediate Rent Policy (March 2023) and associated Design Standards.⁵ This includes detail of their proposed funding arrangements via a

5 *The Regional 'Intermediate Rent Policy' (March 2023) and associated 'Homes for Intermediate Rent Design Standards' (March 2023) are available on the DfC website at: <https://www.communities-ni.gov.uk/publications/intermediate-rent-policy-and-homes-intermediate-rent-design-standards>*

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single Intermediate Rent Operator who will be able to access financial assistance from government to deliver rented accommodation at a discount of at least 20% on average local market private rents at time of letting for a similar property size and type. It establishes appropriate eligibility parameters relating to a household's net income and affordability, as well as other obligations for the Operator, including rent controls, minimum tenancy terms, maintenance requirements and support services.

- **Discount Market Rent (DMR):**

A form of Intermediate Rent housing made available at a cost lower than open market private rents to certain eligible households without any form of public sector subsidy. In order to qualify as affordable housing for the purpose of this policy, a landlord would have to offer DMR tenancies in accordance with the requirements and parameters set out in DfC's Intermediate Rent Policy (March 2023) detailed in relation to the Subsidised Intermediate Rent product above (see Footnote 5), but without any public sector subsidy. As this does not require the involvement of the Intermediate Rent Operator, it is considered particularly suitable for Build to Rent developments. The delivery and monitoring of DMR units will be secured as part of the s76 Agreement (refer to Section 5.3).

3.3.11 Where residential units within a proposed development are intended for rent, Intermediate Housing for Rent should, if possible, be incorporated into proposals. In this regard, SIR units offered via a DfC appointed Intermediate Rent Operator, are preferred to DMR units given the regulation offered by DfC and the minimal impact SIR is likely to have on the overall viability of the scheme as a whole. For Build to Rent (BTR) proposals, where ownership of the building is to be retained by a single investor, DMR will be accepted as the most appropriate affordable housing product. See the framework for the consideration of the most appropriate mix of affordable housing in Appendix 3.

What do I need to do?

- Review framework in Appendix 3 for considering the most appropriate affordable housing products to use as part of your proposed development. You may also wish to consider the most appropriate model s76 clauses to secure delivery as part of this (see Section 5.3 below).
- At an early stage, prior to the PAD process, discuss proposed provision with an appropriate RHA. This should include a comparison to the identified need in the area (see also Section 3.4 below).

3.4 Mix of affordable housing

Policy HOU5 – Affordable housing

...In determining the appropriate mix of affordable housing in terms of size, type and tenure, regard will be had to an up to date analysis of demand, including housing stress and prevailing housing need...

3.4.1 NIHE will provide up to date advice on the level of affordable housing need/demand on a case-by-case basis via a RHA. Different methodologies are followed by NIHE depending on whether determining social housing need as determined by levels of housing stress in the area and the level of likely demand for intermediate housing. Where there is a pressing requirement for both social and intermediate housing, NIHE will advise the Council on the appropriate mix between these tenures as part of the affordable housing requirement.

Social housing need

3.4.2 Social rented properties are offered in accordance with the Common Selection Scheme, which prioritises households living in unsuitable or insecure accommodation. The rules of the Common Selection Scheme involve awarding points based on personal, housing and social circumstances, with qualifying applicants placed on the common waiting list. The level of points awarded determines whether an applicant is considered to be in 'housing stress', meaning they have a more urgent need for social housing provision.

Intermediate housing demand

3.4.3 In contrast to social housing, where need is expressed by applicants via the Common Selection Scheme, intermediate housing for either rent or sale is largely demand driven, with end users not usually specified directly. The exact approach will be varied for each intermediate housing product, based upon eligibility criteria for the specific product. While there may not always be social housing need in a particular locality, there is a city-wide demand for intermediate housing.

Overall housing mix

3.4.4 The nature of mixed tenure development necessitates careful consideration of housing mix – both within the affordable homes and within the market sale properties, but also in the relationship between the two. This is particularly important in the context of tenure blind development, which is discussed in more detail in Section 3.5 below.

Affordable housing

- 3.4.5 The requirements of Policy HOU5: Affordable housing, must therefore be considered alongside the requirements of **Policy HOU6: Housing mix** and the associated guidance contained in Section 4 of this SPG.
- 3.4.6 The appropriate mix of affordable housing should form a key part of discussions between a developer and a RHA at an early stage, albeit with the acknowledgement that such conversations are likely to be speculative in nature due to contractual and funding arrangements RHAs are required to comply with. Initial proposals should be recorded in the Affordable Housing Proposal Form (Appendix 1) and submitted, as appropriate, to the Council as part of the PAD process or to accompany a planning application. NIHE will be consulted by the Council as part of the planning process, including the PAD process, and, where necessary, will be invited to attend meetings with the applicant to discuss. The Affordable Housing Proposal Form should be updated, if required, following a PAD process and submitted as part of any subsequent planning application.
- 3.4.7 It should be noted that any advice given by NIHE will be current at the date at which it is given. An applicant should be aware that such advice given might change throughout the process if, for example, the policy context or evidence of housing need changes. If an application is submitted more than 12 months after pre-application advice is given, that advice may no longer be relevant. In such cases, it is advisable for an applicant to re-consult NIHE, via a RHA, to ensure advice is still valid. The Council will also consult NIHE as part of the planning application process to ensure that advice relied upon by all parties remains valid.
- 3.4.8 While NIHE will provide up-to-date housing need advice at various stages in the planning process, the final decision on the best mix of housing to meet identified need will fall to the Council as the planning authority. However, the Council will take a collaborative approach to determining this in partnership with all the relevant parties, and based on the framework for the consideration of an appropriate mix of affordable housing products in Appendix 3.

What do I need to do?

- Discuss the proposed mix of tenure, size and type of affordable housing, as necessary, with a RHA at an early stage. NIHE will advise the RHA and/or the Council regarding need and demand for affordable housing on the site.
- Complete the Affordable Housing Proposal Form set out at Appendix 1, which will include the total number of dwellings proposed on the site, the number of affordable housing units and a breakdown of the tenure and type of housing proposed. This should be submitted to the Council to help inform discussions with the Council as part of a PAD or planning application process.
- It is strongly recommended that you arrange a PAD with the Council to discuss the proposed scheme. Where necessary, NIHE may be invited to participate in PAD discussions regarding affordable housing obligations in respect of tenure, type and size of affordable units required.
- The PAD meeting(s) should establish how the required affordable housing requirement is intended to be delivered and thereby assist in streamlining the process of assessing and determining the planning application. The Affordable Housing Proposal Form should be amended, where required, to reflect up to date discussions and should be submitted as part of the planning application.

3.5 What are the key design considerations?

Policy HOU5 – Affordable housing

...The affordable housing should be provided as an integral part of mixed tenure development, integrated with general needs housing and not readily distinguishable in terms of external design, materials and finishes...

...Where a concept masterplan is provided to demonstrate the comprehensive planning of such a site and how the full affordable housing obligations will be met, partial development may be permitted if the affordable housing element can be secured by way of s76 planning agreement. This will also allow for the phased development of larger sites.

Design Concept

3.5.1 The design approach should be a consideration from the outset and should be closely aligned with discussions on affordable housing need at an early stage. There are two key design principles that developers must adhere to in accordance with Policy HOU5:

- Integrated affordable housing, pepper-potted throughout the development; and
- Tenure-blind design.

Affordable housing

3.5.2 If these elements are not appropriately addressed, problems can develop due to actual or perceived segregation, manifested in terms of layout, visual appearance or a combination of both. However, when delivered effectively there is no empirical evidence that such issues will occur.⁶

Pepper potting

3.5.3 A fundamental issue in terms of site design is how the affordable housing element is arranged within the scheme. Policy HOU5 requires mixed tenure developments where the affordable housing is fully integrated or 'pepper potted' throughout a development. This will create truly mixed tenure schemes.

3.5.4 Whilst full pepper potting should be considered in the first instance, it is acknowledged that, for some developments, small clusters of affordable units may be more appropriate. In such cases, effective tenure blind design is even more essential to overcome any sense of segregation. For traditional housing developments, fully segregated schemes will not be considered appropriate. See illustrative examples in Figure 3.4.

3.5.5 In the case of apartment buildings, some mixing of tenures should also be possible, although pepper potting is more easily delivered with intermediate units for sale or rent alongside market units for sale or rent. For social rented housing, management and ownership issues may make full pepper-potting of affordable housing units with private market units in a single apartment development difficult. Nevertheless, pepper potting of intermediate units for rent alongside social housing should be possible (see illustrative examples in Figure 3.5). It should also be noted that that high service charges in a mixed tenure apartment context could make a home, which would otherwise be affordable, unaffordable, and should be avoided. Such issues should be discussed with the relevant RHA where appropriate.

3.5.6 The agreed layout should maximise residential amenity for all tenures – pepper potting is the best approach to achieve this. Large clusters of, or segregated, affordable units should not occupy the least attractive parts of the site, e.g. those with the poorest aspects, furthest distance from amenities/services etc.

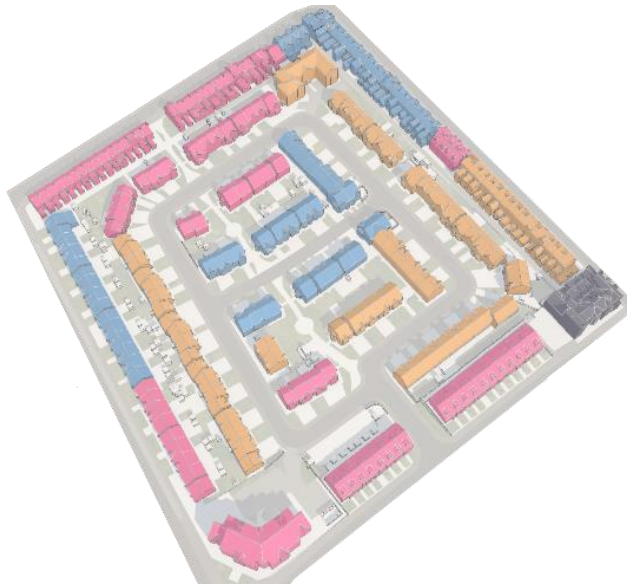
'Tenure blind' development

3.5.7 Closely aligned to the issue of mixed tenure is the term 'tenure blind.' This essentially means that there should be no visual distinction between tenures (particularly in the external specifications and finishes) and any external design differences should be minimal, including any variations in the broad dimensions and appearance of private open space across tenures, particularly from street frontages. The affordable housing element of the scheme shall therefore be designed to be indistinguishable from market housing.

⁶ *Mainstreaming mixed tenure in Northern Ireland, DfC & NIFHA, 2018*

Figure 3.4: Approaches to mixed tenure housing development

- 1) **Segregated**
where the tenures are visibly separated

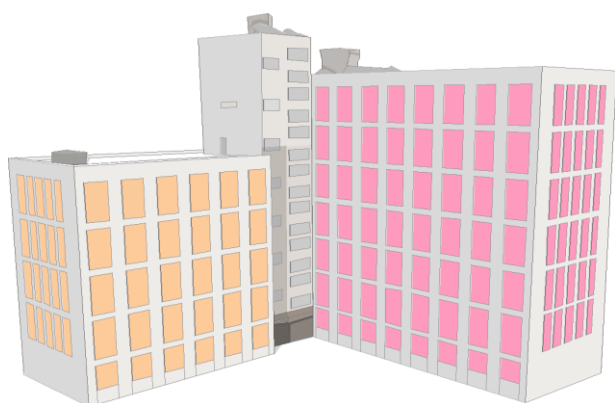


- 2) **Clustered**
where relatively small-scale clusters of affordable units are spread throughout the development

- 3) **Pepper potted**
where individual affordable units or pairs of units are spread throughout the development



Figure 3.5: Approaches to tenure mix within apartment developments

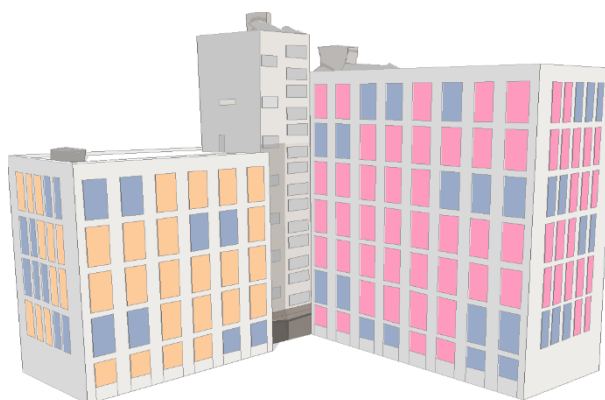


1) Block by block (building by building)

where each tenure is separated as much as possible within a development. There is still potential to integrate design

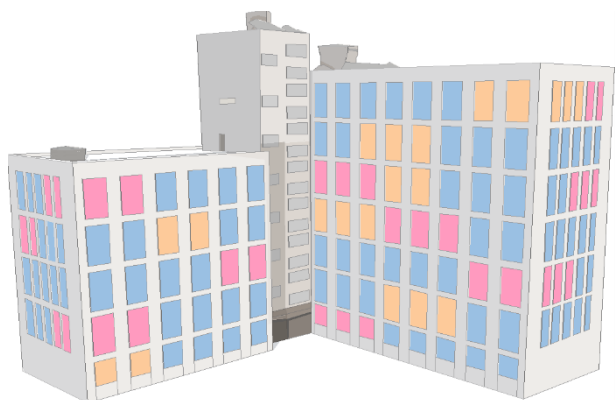
2) Dual ownership (mixed tenure)

where the ownership of different blocks (or buildings) varies, but tenures can still be mixed within each block (or building)



3) Unit by unit (pepper potted)

where each tenure is distributed uniformly across an entire development



3.5.8 Dependent on the type of affordable housing products being delivered and the delivery method, tenure blind design may be easier or more difficult to achieve successfully. For example, as intermediate housing is generally demand driven, the exact location of such units within private development may not always be specified at planning stage, as long as the overall proportion can be secured through a s76 Agreement (see Section 5.3). However, where a RHA is transferred land to construct affordable homes separately to private homes being delivered, achieving tenure blind design may be more challenging. In the case of Outline planning applications, this could be mitigated by agreeing a collective design code detailing external specifications and finishes to be applied, which should be submitted as part of any such application.

TENURE BLIND APARTMENTS

Scheme: Redwoods, Dunmurry

Housing Association: Clanmil

Summary:

Mixed scheme of housing and three apartment blocks, constructed concurrently by McAleer & Rushe. Clanmil purchased two of the apartment blocks post-construction to provide 44 and 46 one and two bed apartments respectively for social housing applicants aged over 50. Although the tenures are segregated, which is not the most desirable option, each apartment block is of the same design, with the social rented blocks indistinguishable from the private. As the tenants are all over 50, this has assisted the creation of a balanced and sustainable development as a whole, with a wide demographic ranging from singles, families to older persons throughout the apartments and housing.

Photograph © McAleer & Rushe

Phasing development

- 3.5.9 In cases where an applicant proposes a phased approach to delivering development, the proposed approach should be submitted through a Phasing Plan as part of the planning application. As noted in Section 3.2, where the Council considers that an applicant has deliberately divided a site into groups of 4 or less units to avoid the requirements of Policy HOU5, planning permission may not be granted.
- 3.5.10 Phasing proposals should be discussed with the Council at an early stage, and agreement reached as to when the affordable housing element of the scheme should be delivered. The Council will consult with NIHE on a case by case basis, as required.
- 3.5.11 The key issue is to ensure that the affordable housing element of the scheme will be delivered in a timely manner and will be properly integrated into the overall development as a whole. Phasing arrangements will be agreed on a case-by-case basis and will be subject to relevant clauses within the s76 planning agreement to ensure early delivery of affordable units (see Section 5.3 below).

Other design considerations

- 3.5.12 There are also a range of broader considerations that may impact on the design of new housing developments, including:
- **LDP design policies:**
The Council sets out broad design requirements in the LDP through Policies DES1-DES3 and specific residential design Policies RD1 and RD3. All proposals for housing, including those incorporating affordable housing, must take account of

Affordable housing

these design policies and the 'Residential design (including adaptable and accessible accommodation)' Supplementary Planning Guidance (SPG).

- **Density:**

Policy HOU4 outlines a range of density bands based on different settlement/character areas. These broad bands are to be used as a guide to inform proposed developments, with proposals outside the bands being considered on their merits, with reference to local character, site characteristics and constraints, environmental quality and residential amenity. Taking account of the various factors involved in determining the affordable housing requirements of a scheme, including mix, type and tenure, can have resultant impacts on overall development density, as can any KSRs.

Whilst the density bands seek to take into account local variations by using upper and lower limits, there may be occasions where meeting the requirements of Policy HOU5 could result in a scheme density outside of the parameters set in Policy HOU4. In such cases, it will be important to ensure that an appropriate balance is struck between site location, appropriate density and the mix of housing, including affordable, required to meet identified need.



SUSTAINABLE DESIGN

Scheme: Killynure Green, Carryduff

Housing Association: Choice

Summary:

This award winning development of 39 social homes was the first to be built Code for Sustainable Homes Level 5 in Northern Ireland. Classed as 'zero carbon', the homes provide reduced energy costs for tenants.

Combining a fabric first approach with sustainable technologies, including PV panels, heat recovery ventilation and rainwater harvesting, each home was designed to achieve an improvement of 60% or more on current NI Building Regulation CO₂ emissions. The designers also had to ensure the scheme met the requirements of Lifetime Homes and Secured by Design, and the space parameters set by the DfC.

- **Affordable housing design standards:**

The DfC Housing Association Guide (HAG) design standards⁷ apply to all new social housing. Meeting these standards is a requirement for RHAs to access public funding for social housing and they are therefore best placed to provide advice in relation to this. The HAG design standards requires that social housing schemes meet a set of Lifetime Home Standards and Secured by Design principles. It should be noted that this may differ from the requirements of Policy HOU7 relating to adaptable and accessible accommodation, which are applicable regardless of tenure (see below).

Similarly, DfC's Intermediate Rent Policy, requires all SIR homes developed with Government funding are required to meet the design standards in the "Homes for Intermediate Rent Design Standards" document⁸. This includes a requirement to meet the Lifetime Homes standard 2010 and the wheelchair standards from from the HAG where appropriate, as well as a range of other internal and external design criteria. Although the standards are only required in relation to the SIR product, homes delivered without public subsidy are still strongly encouraged to meet the standards outlined.

Failure to meet HAG or Intermediate Rent design standards would result in housing being unsuitable for use as social rented housing or SIR and therefore unable to meet affordable housing requirements. To provide certainty in relation to these tenures, the Council will therefore include relevant clauses within the s76 Agreement, particularly for outline planning permissions, requiring such housing to be built to the relevant design standards. Compliance with this will be confirmed by NIHE/DfC as part of the process of releasing funding.

- **Adaptable and accessible accommodation:**

All housing (including intermediate housing for sale or rent) must be built in accordance with Policy HOU7: Adaptable and Accessible Accommodation, which lists a number of accessibility standards to be complied with and which requires 10% of units in schemes of 10 units or more to be designed as wheelchair adaptable. As noted above, DfC's HAG⁷ and Intermediate Rent⁸ design standards require that all social rented and SIR housing is built to Lifetime Home standards, which will therefore meet the accessible housing requirements of Policy HOU7.

In relation to the wheelchair adaptable units, these should be provided within both the affordable and private elements of the scheme. The HAG requires social

⁷ The latest version of the DfC HAG Design Standards are available online at: <https://www.communities-ni.gov.uk/design-standards>

⁸ The latest version of the DfC Homes for Intermediate Rent Design Standards are available online at: <https://www.communities-ni.gov.uk/sites/default/files/publications/communities/dfc-homes-for-intermediate-rent-design-standards.pdf>

Affordable housing

housing developments to incorporate a proportion of standard wheelchair houses, in accordance with the wheelchair housing design standards contained in the HAG. The proportion and size of such units are identified on a case-by-case basis by NIHE. In addition, where a specific named tenant is identified with a need for wheelchair accommodation, a bespoke unit may be designed in accordance with advice from an occupational therapist.

Further guidance in relation to the requirements of Policy HOU7 is contained within the 'Residential design (including adaptable and accessible accommodation)' SPG.

- **Additional housing costs:**

Designs that include features/provisions which increase the management and/or maintenance costs of a development, may mean RHAs are unable or unwilling to take delivery of the affordable housing units. Such features may, for example, include concierge provision, high building service charges, additional costs associated with fire safety and balconies. Again, this could risk the development not complying with the s76 Agreement and should therefore be discussed with the relevant RHA at an early stage in the design process.

- **Plot size:**

The residential curtilage of the dwelling is relevant in terms of future affordability as it will influence the value of properties. Where affordable units would have smaller curtilages, characterised by smaller drives and/or private amenity space, it is important that layouts are well designed to mitigate such factors. The Council's 'Residential design (including adaptable and accessible accommodation)' SPG encourages a variety of garden sizes in all developments to promote diversity and give greater choice for potential residents. Layouts should therefore deliver a range of garden sizes within each tenure. This is particularly important in delivering 'tenure blind' development (see 'Tenure Blind' development above). In respect of public open space, all residents should also have equal access to open space and play areas within the development.

3.5.13 It is good practice given these design requirements to submit a Design and Access Statement with any planning application for mixed tenure housing, regardless of whether it is required by legislation or not.⁹ A Design and Access Statement should explain the design principles, concepts, and access arrangements for the proposal. They should also demonstrate how the proposed development's context has influenced the design. The principles of a Design and Access Statement can be applied to any scale of proposal and stage of development, as either part of a pre-

⁹ *These include proposals for major development, or proposals for one or more dwelling houses, or of a building or buildings where the floor space is 100m² and where any part of the development is in a designated area*

application, outline or full planning application. At the early stages of a project, the developing Design and Access Statement can help provide a clear basis for constructive discussion and assist with a place making approach to the development.

What do I need to do?

- At an early stage, discuss proposals directly with a RHA who can provide advice on design and layout for the development of social housing, particularly the HAG's design standards.
- In relation to intermediate housing, design requirements and financing should also be discussed at an early stage with a RHA.
- Ensure that the drawings that accompany any planning application clearly identify the affordable housing locations within the scheme layout.
- For Outline applications, prepare a design code to ensure consistency in design approaches to help achieve tenure blind development overall.
- If it is intended to phase the development, submit a phasing plan clearly outlining at what stage the affordable housing units will be provided. Ensure that the design of all dwellings (private and affordable) meet the appropriate requirements as set out in the HAG design standards, design Policies DES1-DES4 and RD1-RD3 and Policies HOU4: Density of residential development and HOU7: Adaptable and accessible accommodation.
- Prepare a Design and Access Statement for submission to the Council as part of your planning application.

4 Housing mix

4.1 Introduction

4.1.1 The following sections break down the specific requirements of Policy HOU6 and sets out exactly what is required in order to satisfy the policy.

4.2 Overall housing mix

Policy HOU6 – Housing mix

Planning permission will be granted for new residential developments on sites greater than 0.1ha and/or containing 5 or more dwelling units where the proposed development provides a suitable mix of house types and sizes to promote choice and assist in meeting community needs...

- 4.2.1 Policy HOU6 seeks to ensure that planning permission will be granted for those residential developments that provide a suitable mix of house types and sizes to promote choice and assist in meeting community needs. As noted in Section 3.4 above, Policy HOU5 also requires an appropriate mix of tenures, with the mix of affordable elements of a scheme in terms of types and sizes to take account of an up to date analysis of demand, including housing stress and prevailing housing need.
- 4.2.2 In accordance with **Policy HOU6: Housing mix**, the Council will work with the developer, RHA and NIHE to ensure that a suitable mix of housing is achieved in the scheme overall. As outlined above, NIHE will help determine the size and type of the affordable housing units required on a site, in consultation with a RHA, whilst a developer will need to propose an appropriate mix for the private housing elements. The Council will ensure that when both elements of housing are considered as a whole they provide a suitable mix of house types and sizes to promote choice and help meet the identified community needs over the plan period.
- 4.2.3 The Council will monitor overall delivery across the District as a whole to ensure that provision will meet the overall housing need over the full plan period. Adjustments may therefore be necessary on a case by case basis, particularly where monitoring indicates an undersupply of certain unit typologies and a site is well suited to help meet such a need.
- 4.2.4 As outlined in Policy HOU6, the exact mix of homes for each development will therefore be dependent on a number of factors. To help aid this analysis, Appendix 2

provides an overview of the types of evidence that should be considered and the general approach to be followed in arriving at an appropriate mix.

What do I need to do?

- Consider the appropriate mix size and type of accommodation at an early stage. This should ensure compatibility between the mix and type of units proposed across the site as a whole, taking account of Policy HOU6 requirements. The developer should consult Appendix 2 to inform their approach to establishing the proposed mix of accommodation on the site.

4.3 Need for smaller homes

Policy HOU6 – Housing mix

...Provision should particularly be made for smaller homes across all tenures to meet future household requirements...

4.3.1 Policy HOU6 emphasises the need for future development to comprise accommodation suitable for smaller household types, with apartments and terrace house types expected to be the most in demand. Importantly, smaller homes like these are also more sustainable and represent a more efficient use of land.

4.3.2 The Plan Strategy sets out an overall housing mix requirement for Belfast over the plan period, which can be summarised as a 30:70 split of flats/apartments to houses and a split of 40:60 of properties with 2 bedrooms or less to those with at least 3 bedrooms. This can be further broken down as shown in Figure 4.1:

Figure 4.1: Size and type of housing required over the plan period

Size of unit	% of new homes required in Belfast	Typical type of home based on size of unit	
		% House	% Flat
1 bed	15	14	86
2 bed	28	60	40
3 bed	42	96	4
4+ bed	15	92	8

4.3.3 Set against this context, it is useful to note that the current housing stock in Belfast consists of around 80% houses and 20% flats/apartments, suggesting more flats or apartments will be required to address the undersupply. Apartments have accounted for around one third of the growth in Belfast’s housing stock in recent years, which

Housing mix

while helping to address the immediate shortfall, could risk an overall over-provision of flats or apartments were that trend to continue throughout the entire plan period.

- 4.3.4 Analysis of recent housing stock data reveals that over three quarters of apartments completed are either 1 or 2 bed. To help aid choice, it may therefore be necessary for developments to include more 3 and 4 bed apartments in their schemes, thereby responding to the requirement for increased size, whilst promoting choice and facilitating the creation of balanced neighbourhoods.
- 4.3.5 Similarly, there is a tendency to provide a narrow range of sizes for new houses, whilst the needs of families suggest a balanced profile of houses will be required. With this in mind, development may be required to consider less common house types and sizes, such as 2 bed terraced housing or small townhouses. Houses with 3 bedrooms or more will continue to have an important place in the market, but local area characteristics should be considered to avoid over-provision of any particular size or type in a locality.
- 4.3.6 As noted above, the Council will monitor overall delivery across the District as a whole to ensure that provision will meet overall housing need over the plan period.

What do I need to do?

- When determining the appropriate mix of size and type of accommodation to propose as part of a development, explore the scope to provide less common sizes and types of accommodation, such as smaller homes, including 2-bed terraces and townhouses and larger 3 or 4 bed apartments.
- Provide a brief outline of this consideration within the Affordable Housing Proposal Form set out at Appendix 1, with reference to the analysis used to arrive at the proposed housing mix.

4.4 Factors to determine mix

Policy HOU6 – Housing mix

...The exact mix of house types and sizes will be negotiated with developers on a case by case basis, taking account of:

- a. Up to date analysis of prevailing housing need in the area;
- b. The location and size of site;
- c. Specific characteristics of the development; and
- d. The creation of balanced and sustainable communities.

General housing need

- 4.4.1 The appropriate housing mix required to meet community needs in terms of the type and size is provided through up to date Strategic Housing Market Analysis (SHMA). This is updated periodically by NIHE and are published routinely on their website.
- 4.4.2 Whilst this provides a general analysis of the local housing market context and identifies key housing market drivers in relation to three main tenures of housing – social housing, the private rented sector and owner occupied sector – it doesn't provide detailed projections of the size and type of market housing needed in the future. Instead, the mix of private housing should be carefully considered by a developer taking account of the broader economic and demographic trends identified, as well as anticipated market demand and any other relevant considerations.

Site location and size

- 4.4.3 The appropriate mix of housing on a particular site will be heavily influenced by the site's location and size. For example, where a site is on a good public transport route and near essential services, it may be more suited than a peripheral site to facilitate housing for older people.
- 4.4.4 The character of the surrounding area should also be taken into account through an analysis of the predominant type and size of housing in the vicinity and how this relates to the broader District-wide need over the plan period. Developments should seek, where possible, to help redress any existing imbalances in an area and increase housing choice. As a general rule, the larger a site, the greater it's potential to broaden the overall housing mix in an area. Similarly, larger sites will be more suited to the delivery of housing variety within the development itself, especially when well designed to take account of the wider context.

Housing mix

Development characteristics

- 4.4.5 The characteristics of a specific site will also have a bearing on the mix of housing that is proposed. For example, the topography of a site may necessitate specific design solutions that limit the type of units to be provided. Similarly, ground conditions or the surrounding context may mean terraced housing or townhouses are more appropriate than blocks of apartments.
- 4.4.6 As noted in Policy HOU6 (see Section 4.5 below), where a development is delivering a single unit typology, such as a single block of apartments, the Council will expect greater variety in terms of the size of units.
- 4.4.7 When considering the appropriate character of the development, careful consideration should be given to broader design requirements, most notably plot sizes, overall density and the need to secure tenure integration and tenure blind development. Developments should also take account of the range of broader design policies and SPG, including those relating to 'Residential design (including adaptable and accessible accommodation)' and 'Placemaking and principles of urban design'. Design considerations are also addressed in more detail in Section 3.5 above.

Balanced and sustainable communities

- 4.4.8 Nurturing sustainable and balanced communities is a fundamental aim of the LDP's housing policies. This is to be achieved in part through mixed tenure communities, which also help to promote community cohesion, create a feeling of belonging and contribute to the development of sustainable neighbourhoods. The need for the right type and size of accommodation is just as important as ensuring an appropriate mix of tenures.
- 4.4.9 Communities that have a good mix of homes of different sizes, types and tenures have more potential to support a variety of services and facilities, including shops, schools and local community services. They are also likely to be home to people of all ages, which can mean that streets are 'alive' at all times of the day, increasing the potential for social interaction, community cohesion and neighbourhood safety.
- 4.4.10 As outlined above, while there may not always be social housing need in a particular location, there is a city-wide demand for other forms of intermediate affordable housing. It should be noted that the different affordable housing products may have varying size/property value requirements that must be taken into account when proposing such products. In addition, in areas where social housing need is traditionally determined to be low, the provision of social housing may still be required, particularly when land is in short supply in a location surrounded by areas of high need.

- 4.4.11 Depending on the scale and location of sites, it may be considered appropriate to deliver small developments of single tenure social housing, in order to assist with city-wide targets. As a rule of thumb, in line with the Council's Planning Committee Scheme of Delegation¹⁰, residential developments consisting of less than 12 units will be considered 'small scale' and are most likely to be deemed acceptable. Proposals for single tenure social housing consisting of 12 units or more, will only be permitted in exceptional circumstances.
- 4.4.12 In all cases, whether or not a proposal for mono-tenure social housing is deemed to deliver sustainable and balanced communities will be assessed on a case-by-case basis using the following factors:
- The level of social housing need in the vicinity of the site and the availability of land to address such needs;
 - The wider tenure characteristics of an area, in order to minimise large areas of single tenure social housing; and
 - Whether a scheme is proposed as 'shared housing'.

What do I need to do?

- Consider the appropriate mix of tenure, size and type of accommodation at an early stage. This should ensure compatibility between the mix and type of units proposed across the site as a whole, taking account of Policy HOU6 requirements. The developer should consult Appendix 2 to inform their approach to establishing the proposed mix of accommodation on the site.
- Complete the Affordable Housing Proposal Form set out at Appendix 1, with reference to the analysis used to arrive at the proposed housing mix.

4.5 Single unit typology

Policy HOU6 – Housing mix

...The requirement for a mix of house types will not apply to single apartment developments. In such cases the housing mix will be considered acceptable through greater variety in the size of units.

- 4.5.1 Policy HOU6 acknowledges that there may be occasions where a mix of dwelling types is not possible because of the nature of development. Therefore, where a development is delivering a single unit typology, such as a single block of

¹⁰ Our Scheme of Delegation sets out in detail when decisions on applications are delegated to planning officers and when they are decided by the Planning Committee. It is available from: <https://www.belfastcity.gov.uk/Documents/Scheme-of-delegation>

Housing mix

apartments, the Council will expect greater variety in terms of the size of units. There also still remains an overall requirement for affordable housing in accordance with Policy HOU5.

- 4.5.2 When considering an appropriate mix of unit sizes within an apartment development, cognisance should be paid to the overall housing mix requirements for Belfast over the plan period (see Section 4.3 above). However, it should also be recognised that there is a historic tendency to provide smaller apartments and larger houses for the general market, so there is likely to be a specific need to provide larger apartments suitable for family occupation in order to deliver balanced and sustainable communities.

What do I need to do?

- For developments with a single unit typology (i.e. all houses or all apartments), demonstrate how a broader mix of unit sizes has been incorporated into the mix of accommodation proposed.
- An outline of this should be included within the Affordable Housing Proposal Form set out at Appendix 1, with reference to the analysis used to arrive at the proposed housing mix.

5 Delivery and implementation

5.1 Introduction

- 5.1.1 There are a number of implementation issues that are addressed within the wording of Policy HOU5 that may affect the way in which affordable housing is delivered.

5.2 Sustainability and viability

Policy HOU5 – Affordable housing

...Where it can be demonstrated that it is not sustainable or viable for a proposed development to meet the requirements of this policy in full, the Council will consider suitable alternatives on a case-by-case basis...

- 5.2.1 The wording of Policy HOU5 recognises that sustainability issues or financial viability may affect the ability to deliver affordable housing. The following sections outline what is meant by both of these terms and the process for the consideration of suitable alternatives on a case-by-case basis. Whilst it is possible for both sustainability and viability concerns to affect a single development, it is more likely that either one or the other will be relevant in a particular case and should only arise in exceptional circumstances.

Sustainability

- 5.2.2 Sustainability is distinct from viability, in that policy compliant development is not constrained by financial factors. Rather, it is rendered unfeasible as a result of wider circumstances.
- 5.2.3 This could include, for example, development where specific features necessary to meet planning requirements could result in unsustainable costs for the future management and maintenance of units that couldn't be met by tenants or affordable housing providers. There may also be occasions where there are advantages to be gained by permitting alternative arrangements, such as a different form of affordable accommodation that better meets identified needs.
- 5.2.4 The Council, in consultation with the NIHE, will determine whether the provision of 20% affordable housing on site is sustainable as part of a proposed development. Issues that could arise on zoned housing land will be addressed in KSRs set out in the LPP and, therefore, the affordable housing requirement will be considered as sustainable in relation to all zoned housing land. It is therefore likely to be extremely

Delivery and implementation

rare that such circumstances will materialise, so sustainability considerations will therefore only arise in the most exceptional of cases.

Viability

- 5.2.5 Scheme viability is a material consideration in the determination of all planning applications where it can be demonstrated that the costs of meeting policy requirements in full may render a scheme economically unviable. In simple terms, a development is viable where, after taking account of all costs, the final scheme will provide a suitable return to the developer and provide a land value sufficient to persuade a landowner to sell the land for the development proposed. If these conditions are not met, a scheme is unlikely to be delivered.
- 5.2.6 Where this is accepted, the Council will follow the Residual Land Value (RLV) method, which is an equation where a combination of inputs can be used to calculate the missing element. The four key inputs used as part of this method of determining development viability are:
- Benchmark land value
 - Construction/development costs,
 - Developer return and
 - The costs of compliance with other policies.
- 5.2.7 Where the total cost of delivery, including a reasonable return for a developer, equals or is below the total development value, developments are considered viable. Where an element of 'headroom' exists, this would allow a developer to compete for land above the benchmark land value. When assessing viability on a site-specific basis, the Council will:
- Assume a reasonable level of profit for the developer;
 - Assume a reasonable return for the landowner;
 - Understand and allow for consideration of risk;
 - Build contingency into costs;
 - Take account of all construction, development and financing costs;
 - Take account of the delivery method and delivery timescales, and
 - Reflect local circumstances.
- 5.2.8 Where viability is accepted as marginal, it is often a matter of balance and judgement between the level of developer's return and policy compliance. An important principle in the consideration of viability is that land should be acquired at a price that takes into account all known costs, including the costs of complying with all planning policy requirements. Known site requirements and development constraints will include costs for site preparation, any demolition required, decontamination, flood mitigation measures, infrastructure provision, etc. All planning policy obligations, including the provision of affordable housing, should be factored in when considering how much a developer is able to pay for land. For

more details of the processes and key assumptions to be used when viability is identified as an issue, developers should refer to the separate Development Viability SPG.

Consideration of suitable alternatives

- 5.2.9 When the Council becomes aware that proposed affordable housing provision is deemed to be unsustainable, we will notify the applicant at the earliest opportunity. In a case where an applicant considers that they are unable to comply fully with the affordable housing policy requirements without rendering their development unviable, the onus will be on the applicant to demonstrate this to the satisfaction of the Council. In consultation with NIHE, the Council will then agree the suitable alternatives on a case-by-case basis. However, where an agreement cannot be reached, the proposal may be considered unacceptable and planning permission refused.
- 5.2.10 In this context, it is important to discuss any concerns in relation to meeting affordable housing policy requirements in full with the Council at an early stage. A PAD is therefore strongly recommended in advance of a planning application where sustainability or viability issues are expected to arise. Given their statutory responsibilities in relation to affordable housing, the involvement of NIHE is important as part of this overall process.
- 5.2.11 Each application will be considered on its merits and, where relevant, the Council will aim to be flexible in terms of agreeing suitable alternatives to the affordable housing requirement. However, in accordance with the wording of the policy, the Council's over-riding aim when considering the suitability of alternative affordable housing provision is to secure the maximum viable number of affordable housing units on-site as part of mixed tenure development. As outlined in Section 3.3, preference will be given to potential alternative products as follows:

- 1) **Social Rented Housing:** To meet identified social housing need in a locality.
- 2) Even in areas with a social housing need, proposals should seek to also provide intermediate affordable housing, depending on whether residential units are intended for sale or for rent, including:

<i>For Sale</i>	<i>For Rent</i>
a) Subsidised Shared Ownership <i>(offered by Co-ownership HA)</i>	b) Subsidised Intermediate Rent <i>(via Intermediate Rent Operator)</i>
c) Discount Market Sale <i>(sold to eligible buyers)</i>	d) Discount Market Rent* <i>(let to eligible tenants)</i>

A combination of both forms of intermediate affordable housing should be offered where a scheme involves the provision of housing for sale and rent.

** DMR will be considered the most appropriate product for Build to Rent (BTR) proposals, due to the need for ownership to be retained by a single investor*

- 5.2.12 The Council acknowledge that the use of DMS or DMR products are likely to have a greater cost implication for private sector developers/investors, and so should only be used as a last resort where viability is not identified as an issue. Alongside this cascading of products, other suitable alternatives that may be considered are set out below in order of preference. It should be noted that the inclusion of an option on this list does not assume its acceptability as a satisfactory alternative in any particular scheme, as each case will be judged on its merits.

Where delivering affordable housing is not considered sustainable or viable:

1. A deference in the timing of affordable housing requirements pertaining to the site (i.e. a phasing option);
2. A variation in the required mix of tenure, size or type of affordable units on the site, in accordance with the hierarchy of products outlined above;
3. A reduction in affordable units on the site;
4. Provision of the affordable housing units on an alternative site within the same local housing area; or
5. Commuted sum, equivalent to cost of constructing affordable unit(s) on site.
6. The maximum viable financial contribution in lieu of affordable provision.

Note: Any combination of the above may also be considered in the same order of priority, with an emphasis on maximising the number of affordable units on site and prioritising access to land (on-site or off-site) over financial contributions.

- 5.2.13 Further guidance relating to the provision of off-site affordable housing and the use of commuted sums is provided in the following sections. However, these should be

understood in the context of the overall framework for the consideration of an appropriate mix of affordable housing products and reasonable alternatives in Appendix 3. This brings together the desirable cascading of affordable housing products with the appropriate order for the consideration of suitable alternatives as outlined above.

- 5.2.14 Where an alternative is agreed on sustainability grounds only, it will be based on the assumption that the scheme is considered viable when meeting full policy requirements. A reduction in the number of affordable units on site will therefore usually only be permitted where there is a corresponding off site provision or commuted sum. Similarly, where the use of any of these options would be more cost effective to deliver than the preferred approach, a financial payment may be required in lieu. An exception to this may occur where the cost saving results directly in an equivalent saving in public sector grant funding for affordable housing.
- 5.2.15 Where contributions are reduced below the requirements set out in Policy HOU5, s76 Agreements will incorporate review mechanisms to enable viability reassessment over the lifetime of the development to optimise public benefits through economic cycles. This could allow the Council to seek greater policy compliance should economic conditions allow over the lifetime of the project.
- 5.2.16 Ultimately, the weight to be given to the outcome of a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case. Should a development be brought forward without meeting all policy requirements, regardless of the viability of the scheme, the Council will assess whether this would render the development proposal unacceptable in planning terms, bearing in mind the premise that the obligation is necessary to make the development acceptable. Therefore, where policy obligations are not met, this may result in planning permission being refused, irrespective of any viability considerations.

Off-site affordable housing

- 5.2.17 As noted above, the Council's over-riding aim when considering the suitability of alternative affordable housing provision is to secure the maximum viable number of affordable housing units on-site as part of mixed tenure development. The provision of affordable housing on an alternative site within the same local housing area is therefore less desirable than on-site delivery, as it will result in less mixed tenure development which helps to underpin sustainable communities.
- 5.2.18 However, we also acknowledge that there may be exceptional cases where off-site delivery may offer an acceptable solution, particularly where there are additional benefits in terms of the quality, quantum and mix of homes built. In developing a case for optimised delivery through off-site provision, account will be taken of the

Delivery and implementation

overall net additional provision of affordable housing arising from both the original site and the 'donor' site(s). In other words, an alternative donor site cannot simply accommodate the affordable housing generated by the development on the main site as that donor site will also generate its own affordable housing requirement. The Council will therefore consider the net additional provision of homes across all sites.

- 5.2.19 The donor site(s) should be located as close as possible to the main site, within the same Local Housing Area. In other words, it should help to meet the same need identified for the main site, with a focus on local provision for local communities. However, it should also be noted that off-site provision in areas of existing high affordable housing concentration will reinforce the existing housing tenure dominance and may not support mixed and balanced communities.
- 5.2.20 The onus will be on the applicant to establish a case for off-site delivery. When considering the appropriateness of an off-site arrangement, the Council will assess the main application site against the following criteria:
- Existing, site-specific physical constraints, including any heritage assets, may limit delivery of affordable housing on the main application site;
 - The built-form of the proposed development on the main site does not align with prevailing housing need;
 - Likelihood of unaffordable service charges arising from the nature of the proposed development;
 - Whether the identified local housing need can be better met off-site (e.g. family housing); and
 - The relationship between the donor site and the main application site.
- 5.2.21 Where the suitability for off-site provision is accepted by the Council, a parallel planning application should be submitted for the development of the donor site. The implementation of any approved scheme on the main site would need to be linked through a s76 Planning Agreement to an approved development on the donor site (see also Section 5.3 below).

Commuted sums

- 5.2.22 As outlined above, the use of a financial payment (or 'commuted sum') in lieu of on-site delivery of affordable housing is a last resort that will only be considered in exceptional circumstances once the prior options outlined under sustainability and financial viability grounds have been ruled out. The Council's preference will always be to secure affordable housing on the site as part of a sustainable, mixed tenure development.
- 5.2.23 However, where accepted as the only remaining option, an appropriate commuted sum will be calculated on the basis of the number of affordable housing units required by the policy – i.e. 20% of the total number of units proposed on the site –

and using the cost of providing the affordable units as social rented dwellings. The cost of providing social housing will use DfC's Total Cost Indicator (TCI)¹¹ for the relevant dwelling types in Belfast, based on the size and type of affordable dwellings (both social rented and intermediate housing for sale or rent) that would otherwise have been required on site according to the evidence of local housing need as determined by NIHE.

5.2.24 The calculation will therefore be carried out as follows:

$$\left(\begin{array}{l} \text{Total} \\ \text{number of} \\ \text{units in} \\ \text{scheme} \end{array} \right) \times \begin{array}{l} \% \text{ affordable} \\ \text{housing units} \\ \text{required by} \\ \text{Policy HOU5} \end{array} \times \begin{array}{l} \text{Total Cost} \\ \text{Indicator} \\ \text{(TCI) per} \\ \text{unit} \end{array} = \begin{array}{l} \text{Required} \\ \text{financial} \\ \text{contribution} \end{array}$$

5.2.25 By way of example, a fictional scheme of 30 units, is required to provide 6 affordable houses. Based on NIHE's evidence, this should be provided as a 4 two-bed and 2 three-bed houses. The TCI rate for a 2-bed house is £150,000 and £175,000 for a three-bed house.

5.2.26 The commuted sum would be calculated as follows:

Number of units (30) x affordable % as required by policy HOU5 (20%) = 6 units.

6 x TCI = 4 (two-bed houses) x £150,000 + 2 (three-bed houses) x £175,000

Required financial contribution = £600,000 + £350,000 = £950,000

5.2.27 Any commuted sums will be ring-fenced for use in addressing affordable housing need in Belfast. There are a number of different ways in which commuted sums may be used to assist the delivery of affordable housing, such as:

- Supporting additional on-site provision of affordable housing within other developments (i.e. by a RHA);

¹¹ Further information in relation to the Total Cost Indicators (TCIs) are available as part of DfC's HAG at: <https://www.communities-ni.gov.uk/total-cost-indicators-tci-summary>

Delivery and implementation

- Supporting the purchase of land for the purpose of providing affordable housing (monies may assist with cash flow issues or enable more attractive finance loans to be achieved by an RHA, for example);
- Supporting the provision of specialist forms of social housing accommodation, which is subject to a separate allocations process;
- Purchasing and refurbishing empty properties by a RHA, to be managed as affordable housing (thereby helping to bring vacant properties back into active use);
- Bringing existing dwellings to an acceptable fitness standard, helping to improve overall affordable housing stock;
- Sub-dividing larger houses or converting commercial properties to provide additional affordable housing, where feasible and subject to other planning and site suitability considerations; or
- Any other appropriate measures that may be identified, in consultation with NIHE/DfC, to help increase the supply of affordable housing.

5.2.28 It is important that any money sourced via commuted sums is additional to that already administered by the DfC and NIHE as part of the relevant affordable housing programmes and does not result in the displacement of money that would otherwise have been spent within the Belfast District. In some cases, it may be necessary to pool money from a number of developments to enable delivery and, depending upon the way in which any commuted sums are to be spent, funds may be administered by either the Council, DfC or NIHE.

5.2.29 In the first instance, spending of commuted sums will be prioritised in the local area in which they are generated. If after 3 years no suitable scheme has been identified within the relevant area, then the spending area will be widened. If following 5 years there is still no suitable scheme within the wider area, schemes to improve affordable housing provision within the whole District will be considered.

5.2.30 If following a total of 7 years from receipt, the contribution has not been spent or committed to be spent, it will be returned to the developer at a rate adjusted to reflect interest accrued over the 7 years. This is consistent with the time periods applied to other forms of developer contribution as set out in the Council's Developer Contributions Framework¹².

¹² Available from the Council's website at: <https://www.belfastcity.gov.uk/Planning-and-building-control/Planning/Development-plan-and-policy/Supplementary-planning-guidance/Developer-contributions-and-planning-agreements>

What do I need to do?

- If the sustainability or financial viability of your development is likely to be an issue, we would strongly recommend that this and proposed remedies are discussed with the Council as part of a PAD.
- Consult the Development Viability SPG and prepare the required information for submission as part of your planning application.

5.3 Delivery and implementation

Policy HOU5 – Affordable housing

...Affordable housing will be secured by way of section 76 planning agreement, which should be in place in advance of planning permission being granted...

Section 76 planning agreements

- 5.3.1 Section 76 of the Planning Act (Northern Ireland) 2011, provides that any person who has an estate in land may enter into an agreement with the relevant authority (referred to as a s76 Agreement). A s76 Agreement will normally be required to secure the affordable housing contribution.
- 5.3.2 As a number of possible methods exist for the delivery of the affordable housing, clauses within the s76 Agreement will need to be tailored to reflect the proposed delivery methods, products used and circumstances in each case. To assist this process, the Council is developing a series of template model s76 Agreements for the most common approaches. These model planning agreements can then be tailored to the specific circumstances of each development, with the most important consideration from a Council perspective being a workable solution between all parties that results in affordable housing being delivered to meet identified need/demand.
- 5.3.3 As part of the planning process for any proposal to which affordable housing obligations will apply, developers should submit proposed Heads of Terms for the s76 Agreement for discussion with the Council. We strongly recommend this takes place as part of PAD process, with any subsequent planning application then including a draft Agreement, based on the agreed Heads of Terms and the most relevant Model s76 Agreement. Planning permission will not be issued until the final Agreement has been signed by all relevant parties. In the event that required affordable housing obligations cannot be secured by way of a s76 Agreement, the Council will refuse planning permission.

Delivery and implementation

- 5.3.4 As noted above, there may be occasions where development is delivered over a number of phases, based on an agreed concept masterplan. In such circumstances, the Council will normally include specific triggers in the s76 Agreement to ensure that the affordable housing will be delivered at key stages and will not be delivered significantly in advance of, or later than, market housing.
- 5.3.5 In exceptional circumstances where affordable housing has been reduced below the requirements set out in Policy HOU5 in order to address confirmed viability challenges, the s76 Agreement will incorporate a mechanism by which the viability of the scheme and the requirement for affordable housing will be reviewed over the lifetime of the development. This would allow the Council to secure greater policy compliance should economic conditions allow over the lifetime of the project.
- 5.3.6 Similarly, to avoid circumstances in which agreed intermediate housing cannot be delivered in accordance with the s76 Agreement (e.g. low/no demand for the agreed product), clauses will be included to identify appropriate fall-back options and to enable the requirement to be reviewed as needed (see also paragraph 5.2.11 above). This will necessitate close dialogue between NIHE, DfC and the Council.

Monitoring

- 5.3.7 The Council will monitor the delivery of affordable housing to ensure the effectiveness of the policy approach and findings incorporated into the LDP's Annual Monitoring Reports (AMRs). This will outline the number of affordable homes built per annum, the percentage of affordable versus market sale dwellings approved and the tenure, type and size of units.
- 5.3.8 The Council will also proactively monitor the delivery of individual schemes against the clauses in the signed s76 Agreements. This will be based on any relevant triggers outlined within the Agreements and may require an applicant to provide information to the Council to enable clauses/conditions to be discharged. Examples of such conditional clauses are contained within the Model s76 Agreements.

What do I need to do?

- Prepare draft Heads of Terms for a s76 Agreement, based on your preferred delivery method and the most relevant model planning agreement.
- We would recommend that the proposed delivery method and requirements for the s76 Heads of Terms are discussed with the Council as part of the PAD process.
- Prepare a draft s76 Agreement, based on the agreed Heads of Terms and the most relevant model s76 Agreement, for submission as part of the planning application.
- Sign final s76 Agreement before planning approval can be issued.

5.4 Process guide

- 5.4.1 As noted above, Appenidx 3 provides an illustrative framework for the consideration of an appropriate mix of affordable housing products and reasonable alternatives.
- 5.4.2 This should be read alongside the flow diagram at Appendix 4, which summarises the key stages of the process that will need to be followed as part of the planning process in relation to Policy HOU5.
- 5.4.3 In addition, Appendix 5 presents a summary of the key requirements set out throughout this guidance to enable the applicant/developer/agent to check that they have fully addressed the requirements of Policy HOU5.

What do I need to do?

- Before submitting your planning application, run through the Summary Checklist at Appendix 5 to ensure all requirements of this SPG have been addressed.

Glossary

Affordable housing	<p>Affordable housing is either:</p> <ul style="list-style-type: none">• <i>Social rented housing; or</i>• <i>Intermediate housing for sale; or</i>• <i>Intermediate housing for rent</i> <p>that is provided outside of the general market, for those whose needs are not met by the market. Affordable housing which is funded by Government must remain affordable or alternatively there must be provision for the public subsidy to be repaid or recycled in the provision of new affordable housing. For further information, please see Section 1.2 of this SPG.</p>
Annual Monitoring Reports (AMRs) for LDP	<p>The LDP Annual Monitoring Report (AMR) will provide a summary of information collated each financial year (1st April – 31st March) to assess the overall the performance of the <i>Local Development Plan</i>.</p>
Build to Rent (BTR)	<p>A term used to describe private rented residential property, which is designed for rent instead of for sale. It offers sustainable, quality investments, providing income from short- to long-term rental contracts that are attractive to large pension funds and property developers.</p>
Care home	<p>A 'Care Home' or 'Nursing Home' is a small institution providing accommodation and care for people who are unable to look after themselves. From a planning perspective this can include personal care of children, medical care and treatment and they usually fall within Class C3 of the Planning (Use Classes) Order (NI) 2015.</p>
Common Selection Scheme	<p>The list of rules that the <i>Northern Ireland Housing Executive (NIHE)</i> and <i>Registered Housing Associations</i> use when deciding who they should offer <i>social rented housing</i> to. The scheme determines how social rented homes are offered to applicants and gives applicants a choice in where they want to live.</p>
Common waiting list	<p>Everyone who applies for <i>social rented housing</i> in NI is added to a common waiting list in accordance with the Common Selection Scheme. Suitable housing is then offered to those on the waiting list in accordance with a points-based assessment of need.</p>

Commuted sum	Where a developer does not provide affordable housing, but makes a financial payment (based on an agreed formula) that equates to the cost of providing the affordable homes on the site. The money is then used to secure the provision of additional affordable housing units elsewhere within the local area via public sector grants.
Consumer Price Index	The Consumer Price Index (CPI) is a measure that examines the weighted average of prices of a basket of consumer goods and services, such as transportation, food, and medical care. It is calculated by taking price changes for each item in the predetermined basket of goods and averaging them. Changes in the CPI are used to assess price changes associated with the cost of living.
Creating Places	<i>Supplementary Planning Guidance (SPG)</i> published by Department of the Environment DOE in 2000 that describes the contributions to quality and sustainability that developers in Northern Ireland will be expected to make through the design of new residential developments. It seeks to ensure that what is designed and built today will be cherished by both present and future generations. It is available from: https://www.infrastructure-ni.gov.uk/publications/creating-places-achieving-quality-residential-environments
Density	The density of development provides a measure of how intensively a piece of land is being used. It is derived by dividing the number of housing units in a given area of land by the area and is usually recoded as dwellings per hectare (dph).
Department for Communities (DfC)	The central government department responsible for housing in NI. It sets the overall housing policy for the region and provides grant or loan funding for <i>social rented housing</i> and <i>intermediate housing</i> . It is also responsible for the registration, inspection and monitoring of <i>Registered Housing Associations (RHAs)</i> and for the <i>Housing Association Guide (HAG)</i> . For further information, please see Section 1.3 of this SPG.

Glossary

Department for Infrastructure (DfI)	The central government department responsible for planning in NI. It provides regional planning policy and planning legislation and oversight and guidance for Councils. DfI can also act as the planning authority in the determination of regionally significant or 'called-in' planning applications. For further information, please see Section 1.2 of this SPG.
Department for Social Development (DSD)	Was replaced by <i>Department for Communities (DfC)</i> as part of the review of public administration in 2015.
Design and Access Statement	A short report that provides a framework for applicants to explain how a proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users.
Design code	A set of illustrated design rules and requirements which instruct and may advise on the physical development of a site or area. The graphic and written components of the code are detailed and precise, and build upon a design vision such as a masterplan or other design and development framework for a site or area.
Discount Market Rent (DMR)	A form of <i>Intermediate Housing for Rent</i> made available at a cost lower than open market private rents to certain eligible households without any form of public sector subsidy. In order to qualify as affordable housing for the purpose of this policy, a landlord would have offer DMR tenancies in accordance with the requirements and parameters set out in relation to <i>Subsidised Intermediate Rent (SIR)</i> . For further information, please see Section 3.3 of this SPG.
Discount Market Sale (DMS)	A form of <i>Intermediate Housing for Sale</i> that is sold below local market value without any form of public sector subsidy to certain eligible households, determined with regard to local incomes and local house prices. Homes sold under this definition should have a discount of 20% and include provisions to remain at a discount for future eligible households. For further information, please see Section 3.3 of this SPG.

Heads of Terms	A non-binding document that outlines the basic terms of a future <i>s76 Agreement</i> . It is a statement of what a developer intends a subsequent, legally binding agreement to address and marks the first step on the path before a formal legal agreement is drawn up.
Housing Association	See <i>Registered Housing Association (RHA)</i>
Housing Association Guide (HAG)	Provides guidance for <i>Registered Housing Associations (RHAs)</i> around aspects of the development, finance, procurement, governance and management of <i>social rented housing</i> . It is one of the key management tools employed by the <i>Department for Communities</i> to deliver its regulatory responsibilities, requiring RHAs to follow robust policy and procedural standards.
Housing Need Assessment (HNA)	An unconstrained assessment of the number of homes needed in an area. Assessing housing need is the first step in the process of deciding how many homes need to be planned for.
Housing stress	Those with 30 or more points on the <i>common waiting list</i> for <i>social rented housing</i> . Households in housing stress are deemed most in need of housing.
Intermediate housing for rent (Intermediate Rent)	Private rented housing which can offer an alternative to open market private rental for those whose needs are not met by the market. It is not a form of social housing and offers tenancies in a similar way to other private tenancies, but with additional benefits, including rents set at a level below what is available in the open private rented market. Intermediate Rent is most likely to be a suitable option for households who can pay more than social rents, but for whom open market rents present an affordability issue. Intermediate housing for rent is only made available to lower to moderate income households based on the household's total income or the proportion of income likely to be spent on housing costs. For further information, please see Section 3.3 of this SPG.
Intermediate housing for sale	Intermediate housing for sale helps households who can afford a small mortgage, but are not able to afford to buy a property outright, to become homeowners. For further information, please see Section 3.3 of this SPG.

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Intermediate Rent	See <i>Intermediate housing for rent</i> .
Key Site Requirements (KSRs)	Set out additional planning specifications, as appropriate, against a particular area of land zoned within the <i>Local Policies Plan</i> .
Lifetime Homes	Housing built to a set of 16 design criteria that provide a model for building accessible and adaptable homes.
Listed buildings	Buildings designated through listing as being of 'special architectural or historic interest' under Section 80 of the Planning Act (NI) 2011. The List of Buildings is a register recording all types of structures, ranging from grand houses and cathedrals to warehouses and small buildings.
Local Development Plan (LDP)	The Belfast Local Development Plan (LDP) outlines the Council's local policies and site-specific proposals for new development and the use of land in Belfast. It will comprise two development plan documents, namely the <i>Plan Strategy</i> and the <i>Local Policies Plan</i> .
Local Housing Allowance (LHA)	An assessment scheme used to set the rent for private tenants who apply for housing benefit. It is based on the market rent levels for an area and the number of people who live in a house.
Local Policies Plan (LPP)	Part of the <i>Local Development Plan</i> , prepared following adoption of the <i>Plan Strategy</i> . It will set out site-specific proposals in relation to the development and use of land in Belfast. It will contain local policies, including site-specific proposals, designations and land use zonings required to deliver the Council's vision, objectives and strategic policies, as set out in the Plan Strategy. Together with the <i>Plan Strategy</i> , it will be the principle consideration when determining future planning applications for development in the city.
Market housing	Private housing for rent or sale where the price is set in the open market.
Master plan	A plan that outlines an overall development concept for an area. It provides a structured approach and creates a clear framework for the future development of an area.

Northern Ireland Federation of Housing Associations (NIFHA)	The representative body for NI's <i>Registered Housing Associations (RHAs)</i> . It is a not-for-profit company limited by guarantee.
Northern Ireland Housing Executive (NIHE)	The strategic housing authority for Northern Ireland, its functions include the examination and assessment of housing need and the management and delivery of the social housing development programme. For further information, please see Section 1.2 of this SPG.
Nursing home	See <i>Care Homes</i>
Pepper potting	The interspersing of <i>affordable housing</i> units amongst housing of another type (i.e. privately-owned housing) to provide sustainable mixed tenure developments.
Plan Strategy	Part of the <i>Local Development Plan</i> , it provides the strategic policy framework for the plan area as a whole across a range of topics. It sets out the vision for Belfast as well as the objectives and strategic policies required to deliver that vision. It also includes a suite of topic-based operational policies.
Pre Application Discussion (PAD)	Provides an opportunity for an applicant to speak with a planning officer and discuss proposals before making a planning application. As part of a PAD, the Council can advise how to make an application, what information will need to be submitted with it and the likely issues when it is considered. The primary objective of the PAD process is to deal with issues early, resulting in a smoother planning application process and quicker decision.
Purpose Built Managed Student Accommodation	Accommodation that is built, or converted, with the specific intent of being occupied by students undertaking a full-time course of higher or further education – either individual en-suite units or sharing facilities. The inclusion of the word 'managed' highlights the importance of such accommodation being centrally supervised by the developer/ landlord to provide welfare support for students and to ensure compliance with any code of conduct or tenancy agreements, etc.

Glossary

Regional Development Strategy (RDS) 2035

A regional strategy that aims to take account of the economic ambitions and needs of NI and put in place spatial planning, transport and housing priorities that will support and enable the aspirations of the region to be met.

Registered Housing Association (RHA)

A society, body of trustees, or company that provides social rented and intermediate accommodation and may specialise in accommodation for special needs groups. They are regulated by the *Department for Communities (DfC)* and public funding is made available to help them build new homes, renovate existing stock/homes and allocate them to people in housing need. They are the main developers of new *social rented housing* in NI.

Section 76 Planning Agreements (s76 Agreements)

A legally binding agreement between relevant parties, normally an applicant, landowner and the Council, under Section 76 of the Planning Act (NI) 2011. S76 Agreements are used to secure a planning obligation, such as developer contributions, where it is not possible to do so by a planning condition. The planning agreement must be signed and completed before the planning permission can be issued.

Shared housing

A form of *social rented housing* development that is not segregated in terms of religious background. The current programme is branded as 'Housing for All' and seeks to improve the choices that are available to social housing tenants by tackling the barriers that prevent individuals from opting to live in shared neighbourhoods.

Social rented housing

Housing provided at an affordable rent by a *Registered Housing Association (RHA)*. It is available to households in housing need and is allocated to eligible applicants registered on the *common waiting list* in accordance with the Common Selection Scheme administered by the *Northern Ireland Housing Executive (NIHE)*, which prioritises households who are living in unsuitable or insecure accommodation. For further information, please see Section 1.2 of this SPG.

Strategic Housing Market Analysis (SHMA)

An important planning tool which enables an understanding of current housing market trends and identifies potential future imbalances in the housing market.

Strategic Planning Policy Statement (SPPS)	Sets out regional planning policies for securing the orderly and consistent development of land in NI under the reformed two-tier planning system. The provisions of the SPPS must be taken into account in the preparation of <i>Local Development Plans</i> , and are also material to all decisions on individual planning applications and appeals.
Supplementary Planning Guidance (SPG)	Additional guidance which illustrates by example, supports, or clarifies planning policies. Where relevant to a particular development proposal, SPG will be taken into account as a material consideration in making decisions.
Supported housing	A form of housing that enables vulnerable people to live more independently, both in their own home and in the community, through the provision of housing related support services.
Subsidised Intermediate Rent (SIR)	A form of <i>Intermediate Housing for Rent</i> delivered via a single Intermediate Rent Operator who will be able to access financial assistance from government to deliver rented accommodation at a discount of at least 20% on average local market private rents at time of letting for a similar property size and type. It will make tenancies that are subject to rent controls and minimum tenancy terms available to eligible households based on appropriate eligibility parameters relating to a household's net income and affordability, alongside a range of support services. For further information, please see Section 3.3 of this SPG.
Subsidised Shared Ownership (SSO)	A form of <i>Intermediate Housing for Sale</i> consisting of shared ownership housing provided through a registered housing association (e.g. the Northern Ireland Co-Ownership Housing Association). The property is split between part ownership by the householder and part renting from a RHA. The proportion of property ownership and renting can vary depending on householder circumstances and preferences. It is made available to qualifying applicants based on a series of criteria. For housing to be suitable for such a use, it must also meet a series of property criteria including the market value of units. For further information, please see Section 3.3 of this SPG.

Glossary

Tenure	The arrangements under which a household occupies all or part of a housing unit. Types of tenure typically include occupation by the owner and their family, private rental of all or part of the housing unit privately, <i>socially rented housing</i> , <i>intermediate housing for sale</i> or <i>intermediate housing for rent</i> .
Tenure blind	Housing where there is no architectural distinction between tenures (particularly in the external specifications and finishes) and any external design differences should be minimal.
Total Cost Indicators (TCIs)	Form the basis for <i>DfC's</i> capital and grant funding approach and are used to achieve value for money in the provision of social housing. They are based on a combination of information on land and property costs supplied by Land & Property Services and scheme cost data produced by monitoring approved schemes. They are normally reviewed twice yearly by the Department and are subject to consultation with <i>NIFHA</i> .
Zoning or Zoned Land	Zoning is the process of dividing land into 'zones' (e.g. residential, commercial, or industrial) in which certain land uses are permitted or prohibited. In Belfast this will form part of the <i>Local Policies Plan</i> .

Appendix 1: Affordable housing proposal form

1	Name of Development	
2	Site Address/Location of development	
3	Zoning reference, if applicable (see Local Policies Plan)	
4	Affordable housing requirement numbers/proportion if applicable	
5	Total number of dwellings proposed	
6	Site size (ha)	7 Density (dwellings per ha)
8	Number of affordable dwellings proposed	
9	Number of accessible units	
10	Drawing numbers of plans showing the location and designs of the affordable housing	

13 Summary of discussions to date with a Registered Housing Association (RHA)

(Please fill out this section if you have had initial discussion about affordable housing)

Name of RHA	
Date of meeting	
Contact Officer	

Outline of discussion: *(include any advice provided to RHA by NIHE)*

Continue on separate sheet if necessary

Appendix 1: Proposal form

14 Summary of discussions to date with Council *(Please fill out this section if you have had any discussion about affordable housing)*

Name of Council Officer	
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Pre Application Discussion (PAD):

PAD reference	
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Date of meeting	
------------------------	--

Name all attendees	
---------------------------	--

Outline of discussion:

Continue on separate sheet if necessary

Appendix 2: Determining an appropriate housing mix

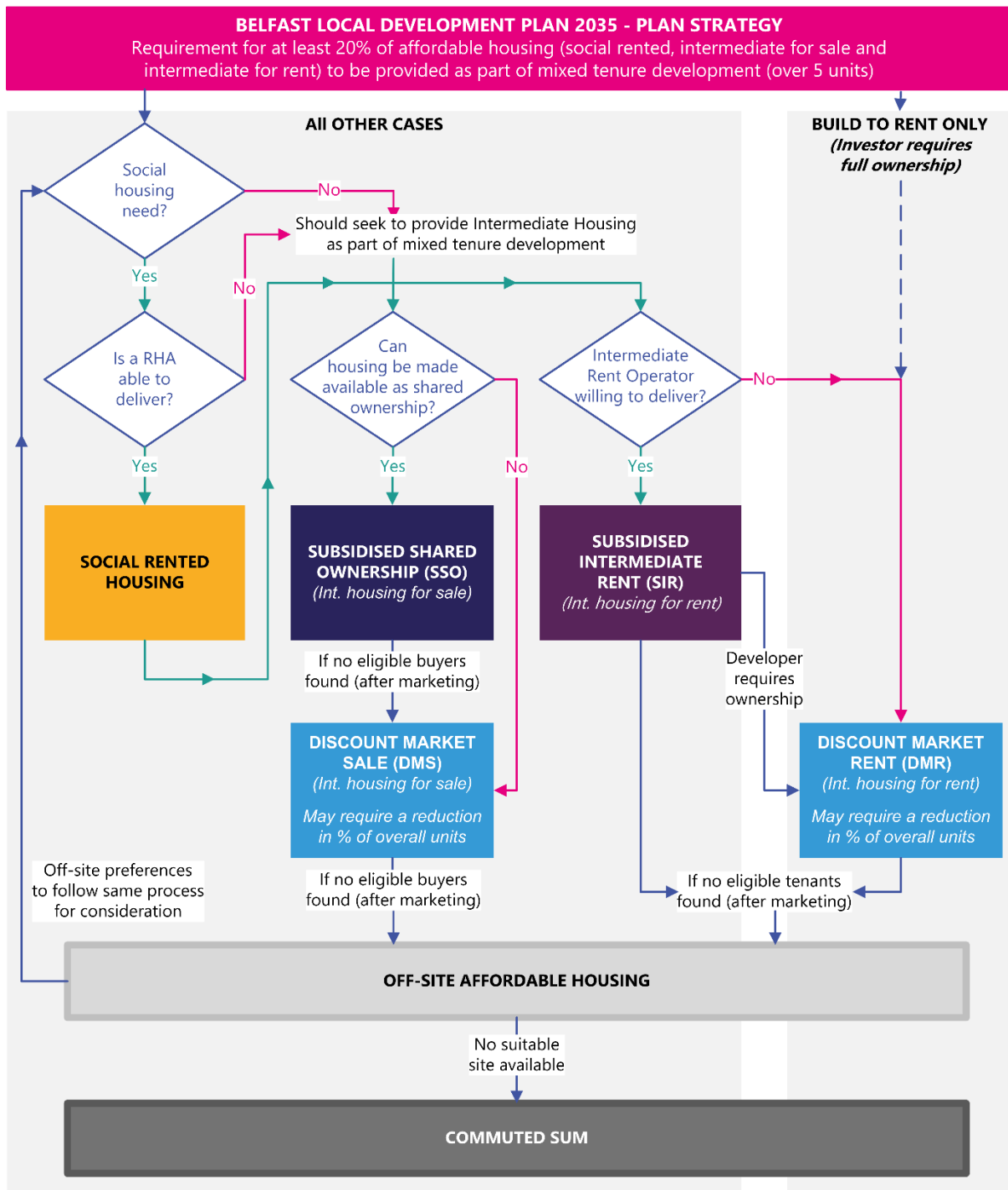
Factor to consider	Questions to inform review	Information sources ¹³
Current policy	<ul style="list-style-type: none"> • What does national policy/guidance require? • What does Policy HOU6: Housing Mix require in Belfast? • Will the scheme contribute to achieving the required overall mix across the district? • Are there other schemes in different areas providing a complementary mix? • Does the policy allow for deviation from the mix and on what basis? • Is there a local area masterplan that says anything about the need for different types of housing? 	<ul style="list-style-type: none"> • Strategic Planning Policy Statement • Belfast Local Development Plan (both Plan Strategy and Local Policies Plan) • Feedback from the PAD process
Demand (both market and affordable housing)	<ul style="list-style-type: none"> • Are there any housing surveys or reports specific to the locality that may provide a more nuanced view on demand for certain house sizes/mixes? • Are there any notable trends in the wider market, such as house price increases for a particular unit type or evidence of under-occupation? • How does demand within the local area compare to that required across the district? 	<ul style="list-style-type: none"> • Size and Type of Housing Needed: Addendum to the Belfast City Housing Growth Options Report, Turley, December 2017 • Strategic Housing Market Analysis (SHMA), NIHE • Housing Investment Plan, NIHE • NISRA household projections • DfC/NISRA Quarterly Housing Statistics • House Price data

¹³ This is not an exhaustive list

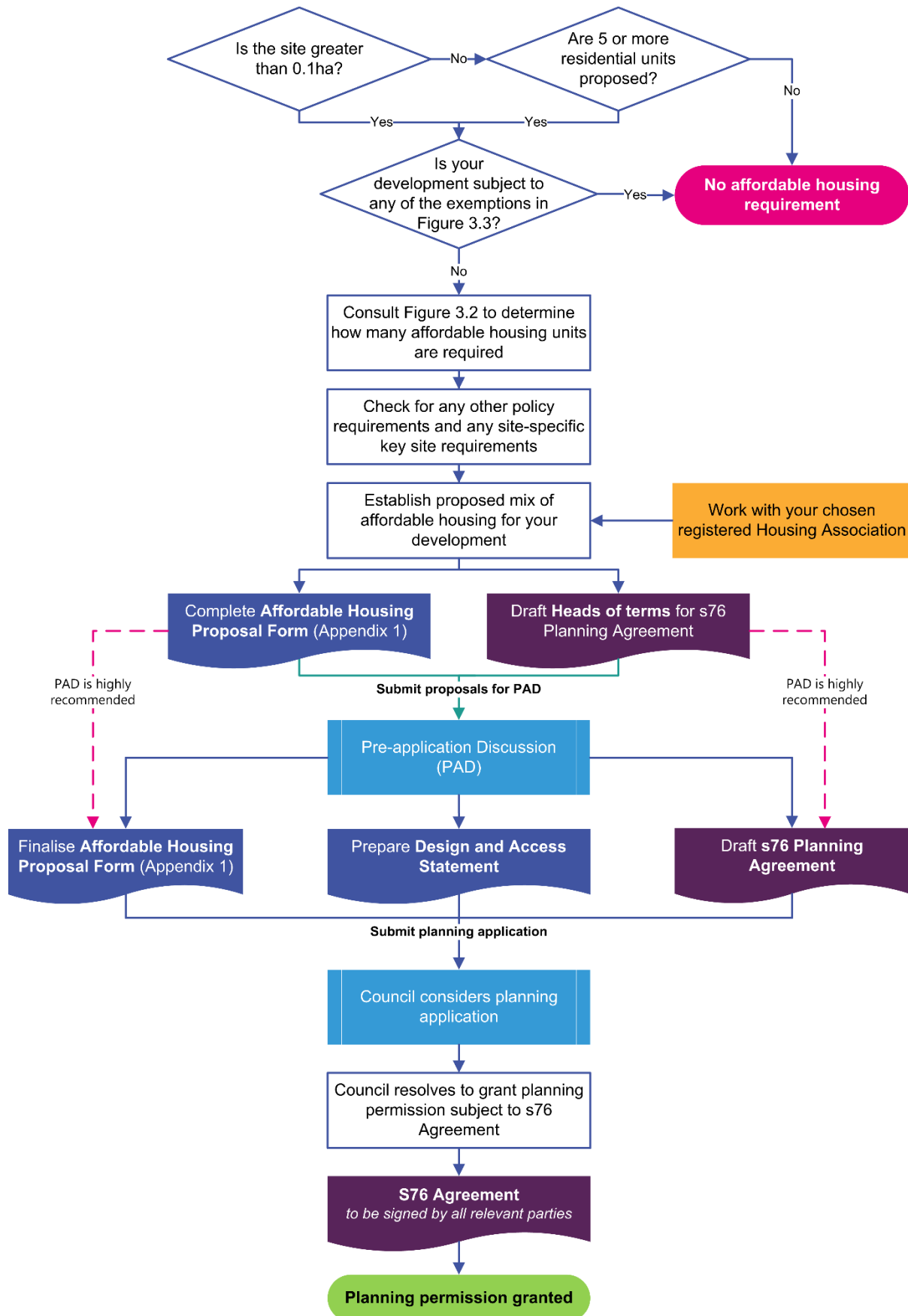
Appendix 2: Determining an appropriate housing mix

Factor to consider	Questions to inform review	Information sources ¹³
Existing stock profile – size and tenure	<ul style="list-style-type: none"> • What is the nature of dwelling stock within the local area and how does this compare to the district as a whole? 	<ul style="list-style-type: none"> • Census statistics • LPS housing data
Supply – both new build and turnover of existing stock	<ul style="list-style-type: none"> • How will households in the market want to (versus need to) occupy housing? • Can the site assist this process by promoting choice in supply? 	<ul style="list-style-type: none"> • Recent planning applications and approvals • Local estate/property agent reports and websites
Site/Area characteristics	<ul style="list-style-type: none"> • What is the typical residential character and mix within the area and how does this relate to district-wide mix requirements? • Is there evidence of an imbalance in housing provision in the surrounding area and could the scheme mix help to address this? • Does the site location lend itself to housing for a particular demographic, such as older persons, students, young families etc? • Are there specific features of the site that will necessitate design solutions that impact on scheme mix, such as topography, ground conditions etc? 	<ul style="list-style-type: none"> • Site survey and analysis • Survey and analysis of local area

Appendix 3: Framework for affordable housing products



Appendix 4: Key planning stages for HOU5



Appendix 5: Process guide and checklist

Requirement		Advice
Before you start		
1	Is affordable housing required?	<p>If the answer to either of these questions is yes, then affordable housing will be required:</p> <ul style="list-style-type: none"> • Is the site greater than 0.1ha in size? • Are 5 or more residential units proposed? <p>Unless your development would be subject to any of the exemptions outlined in Figure 3.3.</p>
Developing Proposals		
2	How many affordable housing units are required by Policy HOU5?	Consult Figure 3.2 to determine the number of affordable housing units required
3	Are there any additional policy requirements?	Check the additional policy requirements pertaining to the site in the Local Development Plan, associated Supplementary Planning Guidance and any relevant local masterplan(s). This could include, for example, key site requirements, which may provide site-specific advice, including specific obligations for affordable housing.
4	What products will be used to meet affordable housing requirements?	<p>When deciding on the most appropriate affordable housing products to be proposed, applicants are advised to:</p> <ul style="list-style-type: none"> • Review framework in Appendix 3 to consider the most appropriate affordable housing products to use as part of your proposed development. • At an early stage, prior to the PAD process, discuss proposed provision with an appropriate RHA. This should include a comparison to the identified need in the area (see Section 3.4). • Consider the most appropriate model s76 clauses to secure delivery as part of this (see Section 5.3 below).

Appendix 4: Process guide

	Requirement	Advice
5	What is the appropriate mix of tenure, size and type of accommodation?	<p>Developers should discuss the required mix of tenure, size and type of accommodation with a RHA at an early stage. NIHE will advise the RHA and/or the Council regarding need and demand for the affordable housing on the site.</p> <p>The overall mix should ensure compatibility between the mix and type of units proposed across the site as a whole, taking account of the requirements of Policy HOU6: Housing Mix and the evidence-based approach outlined in Appendix 2.</p> <p>As part of this, developers should explore the scope to provide less common sizes and types of accommodation, such as smaller homes, including 2-bed terraces and townhouses and larger 3 or 4 bed apartments. For developments with a single unit typology (i.e. all houses or all apartments), developers should also demonstrate how a broader mix of unit sizes has been incorporated into the mix of accommodation proposed.</p> <p>Complete the Affordable Housing Proposal Form set out at Appendix 1. This should include the total number of dwellings proposed on the site, the number of affordable housing units and a breakdown of the tenure and type of housing proposed. It should also reference the analysis used to arrive at the proposed housing mix.</p> <p>This should be submitted to the Council to help inform a PAD.</p>

	Requirement	Advice
6	What are the key design requirements associated with the proposed affordable housing?	<p>A RHA can provide advice on any specific design and layout requirements for the development of social housing, particularly in relation to the DfC's Housing Association Guide (HAG) design standards.</p> <p>In relation to intermediate affordable housing, design requirements and financing should also be discussed at an early stage with a RHA.</p> <p>In addition to the specific design requirements for affordable housing, all development should also meet the appropriate requirements as set out in LDP design policies DES1-DES4 and RD1-RD3, Policy HOU4: Density of residential development and HOU7: Adaptable and accessible accommodation.</p>
Pre Application Discussion (PAD)		
7	Have the Council been contacted to arrange a PAD meeting?	<p>A PAD process is strongly recommended. It is an opportunity for you to discuss your proposal with the Council and we can advise you on what the issues will be when it is considered. A PAD should improve the quality of your application, reduce the time it takes to determine your application, and give you peace of mind that you are on the right lines before making an application.</p> <p>For more information on the PAD process, including how to apply for a PAD, see the Council's guidance on PADs on the Council website.¹⁴</p>
8	Do the NIHE need to attend the PAD meeting?	Where relevant, NIHE may also be invited to participate in PAD discussions regarding affordable housing obligations in respect of tenure, type and size of affordable units required. If required, NIHE can forward information to the case officer dealing with the PAD.

¹⁴ <https://www.belfastcity.gov.uk/Planning-and-building-control/Planning/Applying-for-planning-permission/Pre-application-advice>

Appendix 4: Process guide

	Requirement	Advice
9	Has the PAD meeting established the amount, type, size and tenure of affordable housing to be provided?	The Affordable Housing Proposal Form should be discussed at this stage. As the PAD process is intended to improve the quality of your application, it should, if used constructively, improve the processing speed of your application. Therefore, where changes are required to proposals as a result of the PAD meeting, these should be addressed in the final planning application. If your proposals are unlikely to meet requirements, it may be necessary to hold more than one meeting to discuss revisions as part of the PAD process.
10	Has the PAD meeting established how the affordable housing requirement is intended to be delivered?	As above, gaining broad agreement on the proposed mechanisms for delivery of affordable housing as part of the PAD process, should assist in streamlining the process of assessing and determining the planning application. This will also be necessary to inform the draft Heads of Terms for any subsequent s76 Agreement to be signed prior to planning permission being issued.
11	Is the sustainability or financial viability of your development likely to be an issue?	<p>If meeting affordable housing requirements in full is likely to render your development unviable, either due to sustainability or financial viability, you should discuss this and proposed remedies with the Council as part of the PAD process.</p> <p>You should consult the Council's Development Viability SPG to understand the circumstances in which the Council will consider alternative options as a result of financial viability. The SPG will also outline the information that will need to be prepared and submitted to the Council as part of your planning application.</p> <p>As part of this, you should make a proposal to deliver the maximum affordable housing contribution possible within the viability constraints, in accordance with the guidance in Section 5.2. It may also be necessary to discuss alternative provision with NIHE/DfC and a RHA.</p>

	Requirement	Advice
12	Have you prepared a draft Heads of Terms for the Section 76 Agreement?	To help expedite the planning application process, a draft Heads of Terms for a s76 Agreement should be prepared, based on your preferred delivery method and the most relevant model planning agreement, and discussed with the Council as part of the PAD process.
Application stage		
13	Have you completed the Affordable Housing Proposals Form?	The Affordable Housing Proposals form set out at Appendix 1 should be updated and submitted as part of your planning application. This will document the information discussed as part of the PAD process, where appropriate, and includes the total number of dwellings proposed on the site, the number of affordable housing units and a breakdown of the tenure and type of housing proposed.
14	Do the layout drawings identify the location of affordable housing?	You should ensure that the drawings that accompany the planning application clearly identify the location, size, type and tenure of all housing on the site.
15	Do you require a Design Code for the development?	You should prepare and submit a Design Code as part of any Outline planning application. This should help ensure consistency in design approaches to help achieve tenure blind development overall. Compliance with an agreed Design Code may need to be secured as part of the s76 Agreement.
16	Do I require a Phasing Plan?	If you intended to phase the development, you should prepare a Phasing Plan for submission as part of the application. This should clearly outline at what stage the affordable housing units will be provided and should avoid affordable housing being delivered significantly earlier or later than private housing. This will help inform threshold and trigger points within the s76 Agreement.

Appendix 4: Process guide

	Requirement	Advice
17	Have you prepared a Design and Access Statement?	<p>You should prepare a Design and Access Statement for submission to the Council as part of your planning application.</p> <p>This should explain the design principles, concepts, and access arrangements for the proposal and demonstrate how the proposed development's context has influenced the design.</p>
18	Have you prepared a draft Heads of Terms for the s76 Agreement?	<p>To help expedite the planning application process, a draft s76 Agreement should be submitted as part of the planning application, preferably based on Heads of Terms discussed at PAD stage and the most relevant model planning agreement.,.</p> <p>A final s76 Agreement must be signed in advance of planning approval being granted.</p>

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