Application for approval of details in respect of Condition 10 of Planning Permission (ref: 19/01487/FUL) for Land between Threlkeld Road and Gatesgarth Road, Middleton

Affordable Housing Scheme

No above ground works shall take place until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework. The scheme shall include:

- ***a) The arrangements for the transfer of the affordable housing to an affordable housing provider;***
- ***b) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and***
- ***c) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.***

This condition shall not be binding on a mortgagee or chargee (or any receiver including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a Receiver) of the whole or any part of the affordable dwellings or any persons or bodies deriving title through such mortgagee or chargee or Receiver, unless the express written prior approval of the Local Planning Authority has first been obtained.

1. INTRODUCTION

This Affordable Housing Scheme ('the Scheme') is submitted to the Council in support of an application to discharge Condition 10 attached to the Planning Permission in respect of land between Threlkeld Road and Gatesgarth Road, Middleton (shown edged red on the attached plan) ('the Site').

2. DEFINITIONS

"Affordable Housing" has the meaning set out in Annex 2 of the National Planning Policy Framework (February 2019).

"Affordable Housing for Rent" means Affordable Housing which meets all the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent

scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

"Affordable Rent" means a type of Affordable Housing for Rent which is let at below market rent by a Registered Provider. The rent (including service charge) is set at up to 80% of the local market rent for an equivalent home inclusive of service charge.

"Allocations Policy" means the "Rochdale Borough Council and Partners Housing Allocations Policy" annexed hereto (or such other replacement document).

"Applicant" means The Riverside Group Limited and its successors in title.

"Council" means Rochdale Borough Council.

"Development" means the construction of 41 dwellings for Affordable Rent with associated highways, landscaping and retained/enhanced public open space.

"Occupier" means the person(s) occupying the Residential Unit(s) for the purposes permitted by the Planning Permission but not including occupation by personnel engaged in construction, fitting out or decoration or occupation for marketing or display or occupation in relation to security operations.

"Qualifying Persons" means persons who have been assessed by the Council as qualifying persons and eligible for housing in Rochdale as per the Council's extant Housing Allocations Policy or such alternate provision.

"Registered Provider" means a registered provider of social housing within the meaning of Section 80 of the Housing and Regeneration 2008 Act (or such other replacement statutory provision) and as registered with the Regulator of Social Housing (or such other replacement body) and approved in writing by the Council.

"Residential Units" means the 41 dwellings to be constructed on the Site pursuant to the Planning Permission.

"Percentage of Allocations" means one hundred percent (100%) of available lettings to be allocated by the Council unless a written request is made by the Applicant to vary the percentage of allocations and such request is agreed in writing by the Council.

"Planning Permission" means the planning permission (ref: 19/01487/FUL) granted by the Council for the Development.

3. THE PROPOSAL

3.1 The Applicant shall provide 100% of the Residential Units as Affordable Housing for Affordable Rent which shall comprise the following:
24 x Two Bedroom Houses
10x Three Bedroom Houses
7x 2 bed bungalows

4. THE ARRANGEMENTS FOR THE TRANSFER OF THE AFFORDABLE HOUSING TO AN AFFORDABLE HOUSING PROVIDER

4.1 In this case there are no arrangements for the transfer of the Residential Units to a Registered Provider. This is not applicable as the Applicant is the owner of the Site and is a Registered Provider.

5. THE ARRANGEMENTS TO ENSURE THAT SUCH PROVISION IS AFFORDABLE FOR BOTH FIRST AND SUBSEQUENT OCCUPIERS OF THE AFFORDABLE HOUSING

5.1 Subject to paragraph 5.3, the Applicant shall ensure that the Residential Units shall not be used for any purpose other than the provision of Affordable Housing.

5.2 Subject to paragraph 5.3, the Applicant shall ensure that each Residential Unit shall remain affordable for Occupiers for the lifetime of the Development by ensuring that the rent of the Residential Units shall remain as Affordable Rent in line with Homes England (or such other replacement body) guidance and in compliance with the Regulator of Social Housing's Rent Standard (or such other replacement body) for the first Occupier and all subsequent Occupiers.

5.3 Occupiers may exercise their statutory rights to acquire any of the Residential Units.

5.4 Where Occupiers exercise their statutory rights to acquire any of the Residential Units, the Applicant shall ensure that any subsidy connected to that Residential Unit will be recycled for the future provision of new Affordable Housing within Langley.

6. THE OCCUPANCY CRITERIA TO BE USED FOR DETERMINING THE IDENTITY OF OCCUPIERS OF THE AFFORDABLE HOUSING AND THE MEANS BY WHICH SUCH OCCUPANCY CRITERIA SHALL BE ENFORCED

6.1 The Applicant shall ensure that subject to paragraph 5.3:

(i) the Residential Units are allocated initially and all times subsequently upon vacancy to Qualifying Persons via the Rochdale Home Choice

CBL system unless the CBL system is no longer in operation in which case the Residential Units shall be allocated by such mechanism determined by the Council for the Borough for the allocation of social housing and in accordance with the Allocations Policy and subject always to the Percentage of Allocations;

(ii) any grant of a tenancy or assignment thereof shall only be to one or more Qualifying Persons; and

(iii) the Residential Units shall be maintained and managed by the Applicant or another Registered Provider.

7. ACCOMPANYING DOCUMENTS

7.1 Rochdale Borough Council and Partners Housing Allocations Policy

7.2 Site Plan

We hereby agree to carry out the Development in accordance with the Scheme as set out above.

Date: 20th October 2021

Signed by:

.....

Name of Attorney: HELEN REDDINGTON

Signature of Attorney: Helen Reddington

In the Presence of: ELEANOR BRADSHAW

Witness Signature: .....

Name of Witness: ELEANOR BRADSHAW

Address of Witness: Riverside Home Ownership
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Occupation of Witness: SALES PROCESSING MANAGER

As attorney (appointed under a Power of Attorney dated 23 October 2020) for The Riverside Group Limited