



*Dacorum Borough Local Plan  
1991 - 2011*

**SUPPLEMENTARY PLANNING DOCUMENT**

**ELIGIBILITY CRITERIA FOR THE  
OCCUPATION OF AFFORDABLE HOUSING**



**July 2005**

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## **1. INTRODUCTION:**

- 1.1 This guidance note should be read in conjunction with Policy 20 of the Dacorum Borough Local Plan 1991-2011.
- 1.2 Policy 20 states that *“Arrangements must be made to ensure that the benefit of all affordable housing units would pass from the initial occupiers of the properties to successive occupiers. Where necessary, the Council will either impose planning conditions or seek a planning obligation in order to achieve this. Such conditions and obligations will normally give priority to local residents, people employed locally, or people with local connections. Further details on eligibility criteria for affordable housing units will be set out in supplementary planning guidance.”* This document provides that guidance.
- 1.3 The Local Plan seeks the provision of about 1,250 affordable housing units in the Borough between 1 April 2001 and 31 March 2011. However, in addition to meeting a recognised housing need, planning conditions and agreements will be used to ensure that these units are provided for those households who are in need locally and for those defined as ‘Key Workers.’

## **2. DEFINITION OF ‘AFFORDABLE’:**

- 2.1 In Dacorum, affordable housing may include properties available for rent, particularly from the local housing authority or a registered social landlord (RSL); shared ownership; and discounted and low cost market housing. In all cases the full cost of the housing is subsidised for the occupier, either directly by the providing agency and/or indirectly through planning control affecting land prices.
- 2.2 The Dacorum Borough Local Plan specifies that a household is considered in need of affordable housing if:-
- it does not have a deposit equivalent to 5% of the price of a suitable home<sup>1</sup> and has a gross household income less than one third its mortgage requirement: or
  - renting privately would take up more than 25% of its income.

## **3. HOUSING NEED:**

- 3.1 The Local Plan identifies 3 elements of affordable housing need:-
- i. existing households in need
    - a household must be living in unsuitable housing i.e. the housing is of poor quality or the needs of the household are not being met by the present dwelling; or

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<sup>1</sup> A ‘suitable home’ is defined as housing of an appropriate quality that meets the needs of the household in terms of its size and physical arrangement.

- it is unable to afford market housing
  - ii. concealed households in need
    - a household must move to a separate home within the next year to meets its needs; and
    - it is unable to afford market housing
  - iii. homeless households.
- 3.2 'Key Workers' (as defined in Appendix 2) may fall within any of the above categories. The term may also include people who need to move into the area to fill specific jobs, but who cannot afford to live within the Borough.
- 3.3 A Housing Needs Survey was conducted by consultants DCA on behalf of Dacorum Borough Council in 2003. Further information regarding the results of this survey can be obtained from the Council's Housing Service.

#### **4. PROVISION OF AFFORDABLE HOUSING:**

- 4.1 The Council will seek to ensure that the benefits of affordable housing pass, and can continue to pass, to people for whom it is most needed.
- 4.2 The Council's preferred approach is for the management of affordable housing to be undertaken by a registered social landlord, such as a housing association. However, there may be circumstances where a registered social landlord will not be involved in controlling the occupancy of the affordable housing provided.
- 4.3 A planning obligation, (also known as a 'section 106 agreement'), is the Council's preferred method for securing affordable housing. This will apply to private development schemes when an element of affordable housing is provided. It will not normally be necessary to impose additional occupancy controls for dwellings managed by a housing association, except on rural exceptions sites (i.e. those housing sites permitted through Policy 25 of the Local Plan).
- 4.4 In addition to planning obligations, affordable housing provision may also be achieved by restricting the occupancy of dwellings to those who meet 'local needs' criteria through an occupancy condition.
- 4.5 The process of establishing local housing need and how a planning obligation or condition will be used to ensure that these needs are met are set out below.

## **5. ASSESSING LOCAL HOUSING NEED:**

- 5.1 To qualify for affordable housing, individuals and/or families must be able to demonstrate that they are in housing need (Stage 1 below). In the rural areas of the Borough, individuals will also be expected to show that they have connections with the local area to which the planning application relates (Stage 2 below).
- 5.2 For planning purposes, the term 'rural' applies to all parts of the Borough outside of the towns (Hemel Hempstead, Berkhamsted and Tring) and large villages (Markyate, Kings Langley and Bovingdon).
- 5.3 This two-stage approach to the allocation of affordable housing in rural parts of the Borough reflects the lower levels of residential development, and hence more restricted supply of units, in these locations. This approach also ensures that the principles of sustainable development set out within the Local Plan are adhered to. These principles include encouraging more sustainable forms of transport, strengthening community identity and meeting needs locally.

### **STAGE 1 - Definition of Housing Need:**

*(Applicable to all parts of Dacorum Borough)*

- 5.4 Applicants will be considered to be in housing need if they fall within one or more of the following categories:-
  - (a) Homeless people (within the meaning of Part 7 Housing Act 1996), including those that the Council are accommodating.
  - (b) Persons who are either on, or eligible to be on, the Council's Housing Register, or the Register of any of the principal Housing Associations operating within Dacorum (see Appendix 1).
  - (c) Persons occupying poor quality or overcrowded housing, or otherwise living in unsatisfactory housing conditions.
  - (d) Persons who need to move on medical or welfare grounds.
  - (e) Persons who need to move to a particular locality in the Borough, where failure to meet that need would cause hardship (to themselves or others).
  - (f) Persons who are classified as 'Key Workers,' as defined in Appendix 2
- 5.5 Applicants under the age of 18 will not generally be eligible for a tenancy unless they are;

- (i) in the care of Hertfordshire County Council Social Services Department and are approaching the age of 18; or
  - (ii) a young single parent family, or a couple with a child.
- 5.6 More detail on the above is available from the Council's Housing Department. The eligibility criteria used by the Housing Associations vary: further information can be obtained by contacting them direct.

## **STAGE 2 - Definition of Local Connection:**

*(Applicable in the defined rural areas only)*

- 5.7 In order to best meet local housing needs in rural parts of the Borough, preference will be given to applicants who have a connection within the local area (as defined below) to which the planning application relates.
- 5.8 The following definitions will apply:
1. A *person resident* is defined as a person who has lived (up until the date of application) continuously within the local area for not less than 2 years. A person who has lived continuously for not less than 10 years is considered to have a significant local connection.
  2. A person with *significant local connections* is defined as someone who has strong family ties and whose family has lived continuously in that area for more than 10 years.
  3. The *local area* is defined as the parish in which the development is located. There are parishes within the Borough that include both urban and rural areas (i.e. Northchurch and Nash Mills). In these instances, housing needs should usually be met by the urban area. For the purposes of this guidance Bourne End is considered to be a separate local area. A map showing the parish boundaries is enclosed as Appendix 3.
- 5.9 Allocations in rural areas should be made using the 'cascade approach' set out below. Priority will be given to those persons already resident within the local area.

**Level 1**      *(in priority order)*

- (a) person(s) resident in the local area for 10+ years
- (b) person(s) resident in the local area for less than 10 years, and/or has a significant local connection (i.e. strong family ties)
- (c) person(s) employed within the local area

- 5.10 If no suitable tenants can be found, this cascade approach will be applied to those persons currently living and/or working in neighbouring parishes (Level 2) and then to those living and/or working elsewhere in the Borough (Level 3).
- 5.11 For the purposes of this assessment, 'key workers' moving from elsewhere within the Borough, or beyond, will be considered to have a local connection, provided their occupation makes it necessary for them to be located within the defined local area.
- 5.12 In exceptional circumstances, if all levels of eligibility have been explored and the property remains unoccupied (i.e. there is no household in need able or willing to occupy the property), permission may be given by the Council to dispose of the property on the open market.

# **APPENDIX 1**



**Principal Housing Associations Operating Within Dacorum Borough**

*Note:* This list is accurate at 13/07/05, but is subject to change. Please consult the Council's Housing Department for the most up-to-date information.

**Aldwyck Housing Association**

6 Houghton Hall Business Park  
Porz Avenue  
Houghton Regis  
Beds  
LU5 5UZ

Tel: 01582 869100

[www.aldwyck.co.uk](http://www.aldwyck.co.uk)

**William Sutton Housing Association**

Two Waters Lane  
Lawn Lane  
Hemel Hempstead  
Herts  
HP3 9WH

Tel: 01442 283100

[www.williamsutton.org.uk](http://www.williamsutton.org.uk)

**Metropolitan Housing Trust**

Cambridge House  
109 Mayes Road  
Wood Green  
London  
N22 6UR

Tel: 0208 829 8000

[www.mhtgroup.co.uk](http://www.mhtgroup.co.uk)

**Hightown Praetorian and Churches Housing Association**

White Lion House  
70 Queensway  
Hemel Hempstead  
Herts  
HP2 5HD

Tel: 01442 292300

[www.hpca.org.uk](http://www.hpca.org.uk)

**Paddington Churches Housing Association**

Canterbury House  
Canterbury Road  
London  
NW6 5SQ

Tel: 0208 537 4132

[www.pcha.org.uk](http://www.pcha.org.uk)

# **APPENDIX 2**

### Definition of 'Key Worker'

*Note:* This definition will be kept under review by the Head of Housing to ensure that it reflects the changing employment situation and needs of the area. The most up-to-date position should be confirmed with the Council's Housing Department.

Key workers are people employed or taking up employment (i.e. have a confirmed and accepted job offer) in the following employment categories:-

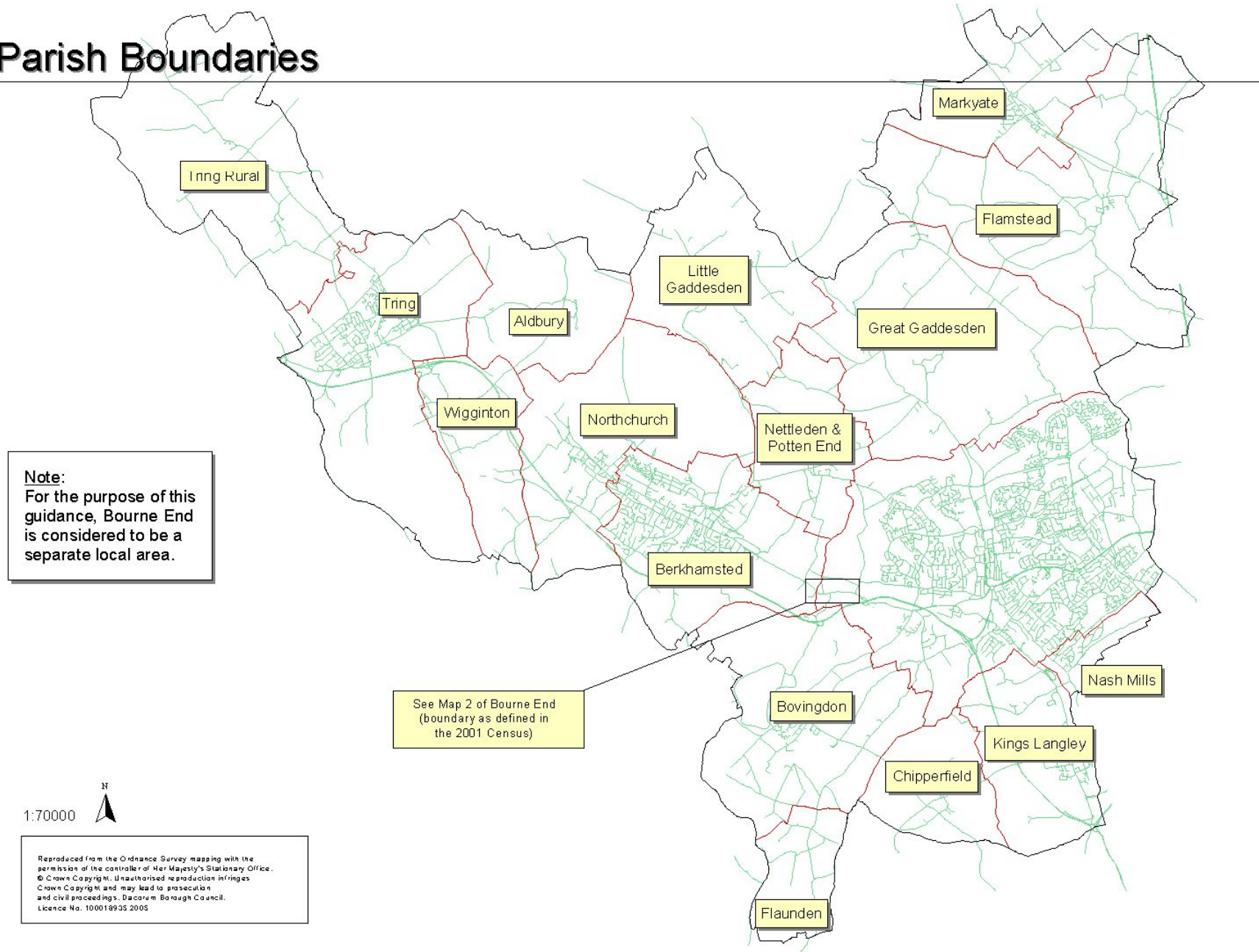
- Teachers for Hertfordshire County Council
- Police Officers for Hertfordshire Constabulary
- Fire Officers for the Hertfordshire Fire and Rescue Service
- Healthcare workers in the NHS Trusts working in Hertfordshire
- Social care workers for Hertfordshire County Council (residential care workers and social workers dealing with families / children or vulnerable adults)
- Other groups nominated by the Head of Housing, Dacorum Borough Council

In the rural areas of the Borough this definition will be extended to include:-

- Agricultural workers
- Forestry workers
- Estate workers
- Any other category of employment in the rural area considered appropriate by the Head of Housing

## **APPENDIX 3**

# Parish Boundaries



Map 2 - Bourne End

