

SNOWDONIA NATIONAL PARK AUTHORITY



**SUPPLEMENTARY PLANNING GUIDANCE:
AFFORDABLE HOUSING**

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1. INTRODUCTION

- 1.1 This guidance is one of a series of Supplementary Planning Guidance (SPG) documents, which provide detailed information on how policies contained in the revised Eryri Local Development Plan (ELDP) (2016-2031) will be applied in practice by the National Park Authority. The SPG sets out the National Park Authority's requirements for affordable housing to ensure new developments help meet the local housing needs and create mixed sustainable communities. The guidance is for the use of planning officers, planning specialists, members of the public and all other users of the planning system.

Purpose of the Supplementary Planning Guidance

- 1.2 The purpose of the guidance is to:
- Provide guidance on local needs for affordable housing including definitions and types.
 - Provide detailed guidance to users of the planning system on how the current policies on affordable housing will be applied.
 - Explain what needs to be considered when submitting a planning application for new affordable housing
 - Provide guidance to assist officers and members in determining planning applications for affordable housing.
 - Provide guidance and information regarding affordable housing developments within Snowdonia National Park for the Planning Inspectorate, Statutory Consultees, Community Councils, members of the public and other interested parties.
- 1.3 Pre-application engagement offers the potential to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications. The Authority is committed to working with applicants at the pre-application stage and actively encourage pre-application discussions for all types of development. Further information can be found on the Authority's website; <http://www.snowdonia.gov.wales/planning/planning-permission/pre-application-enquiry>
- 1.4 A glossary of terms used in the document is set out in appendix 1.

Status

- 1.5 This SPG has been produced to support the policies in the revised Eryri LDP (2016-2031). This SPG has been subject to public consultation, and has been formally adopted by the Authority. It The SPG provides an update and replaces the Authority's Affordable Housing SPG 4 (September 2011). It is now a material consideration when determining planning applications including applications for the renewal of consents and planning appeals within the Snowdonia National Park area.

1.6 The most relevant policies in the revised Eryri LDP are:

- **Strategic Policy G: Housing**
- **Development Policy 30: Affordable Housing,**
- **Development Policy 11: Affordable Housing on Exception Sites**
- **Development Policy 9: Conversion and Change of use of rural buildings**

(see Appendix 2 for further details).

2 SETTING THE CONTEXT

- 2.1 Housing issues continue to be one of the main area of concern for many communities within the Park. The shortage of affordable housing to rent or to buy is one of the greatest challenges facing many communities in Snowdonia. Local incomes in the National Park are generally low and opportunities for higher paid employment limited. These problems are exacerbated by the significant percentage of second and holiday homes within the National Park. The accessibility and affordability of housing is an essential factor in securing long-term sustainability of our rural communities, which is the main rationale behind the Authority's affordable housing policies.
- 2.2 The National Park Authority is not a housing authority responsible for the provision of affordable housing as this is the responsibility of the Local Authority i.e. Gwynedd Council and Conwy County Borough Council. Both Gwynedd and Conwy housing authorities prepare a Local Housing Strategy, which provides a strategic direction to improve the access to affordable housing and promotes partnership working with key stakeholders in the private, public and voluntary sector. They are also responsible for preparing Local Housing Market Assessments (further information contained in section 7). Although Snowdonia National Park Authority is not a housing authority, it does have a role to regulate and facilitate private and public housing through the planning process.

3 AFFORDABLE HOUSING PLANNING POLICIES

3.1 The revised Eryri Local Development Plan 2016-2031 contains policies to seek and facilitate the sustainable delivery of affordable housing to meet local need. The most relevant policy in relation to Affordable Housing is Development Policy 30, which sets out the thresholds and affordable housing target for each settlement. Detail extracts are provided in appendix 2.

Housing Allocations

3.2 Each housing allocation in the revised Eryri LDP has an affordable housing target, which range from 20% to 100% affordable housing. Further information on the affordable housing target for each allocation is contained in Strategic Policy G: Housing.

New affordable dwellings within housing development boundaries

3.3 Housing development boundaries have been defined for Local Service Centres, Service Settlements and for Secondary Settlements. Appendix 3: contains a list of the settlements within each settlement hierarchy.

- Within the housing development boundary of Local Service Centres (Dolgellau and Bala) where the development is for five dwellings or more the authority will seek 20% affordable housing units to meet local need.
- Within the housing development boundary of Service Settlements (Harlech, Betws y Coed, Aberdyfi, Trawsfynydd and Llanberis) where the development is for three dwellings or more the Authority will seek 33% affordable housing units to meet local need.
- Within the housing development boundary of Secondary Settlements where the development is for two dwellings or more the Authority will seek 50% affordable housing units to meet local need.

Settlement Hierarchy	Number of dwellings	Affordable Housing %
Local Service Centres	5+	20%
Service Settlements	3+	33%
Secondary Settlements	2+	50%

There are no housing development boundaries for smaller settlements. Within smaller settlements the development of up to two new single units of 100% affordable dwellings for local need will be permitted (if the site is immediately adjacent to a property highlighted on the settlement inset map). Exceptionally more than two dwellings will be allowed where need is proven and the character and setting of the settlement is not impaired.

3.4 A summary of the housing requirements by settlement is contained in appendix 4.

- 3.5 To ensure the best use of land, the Authority will seek a density of 30 dwellings per hectare for residential development (unless there are local circumstance such as character of the locality that suggests a lower or higher density may be more appropriate). Where the density (number of units per hectare) falls below the suggested density without sufficient justification, and appears to have been done so to either avoid or reduce the affordable housing contribution required, applications may be refused.
- 3.6 The subdivision or phasing of development sites to avoid or reduce the affordable housing contribution required will not be permitted. Where the subdivision of a site results in housing proposals on two or more adjoining sites, any of which fall below the threshold, the Authority will treat them as one site. The affordable housing contribution will be based on the total number of dwellings proposed or capable of being provided across the different sites or phases.
- 3.7 . To avoid piecemeal development of land to get round the affordable housing requirement, the Authority will examine the development potential of land adjacent to a site. Where it is clear that the site could form part of a larger above threshold site, by including adjoining land not necessarily in the same ownership, then affordable housing may be sought/justified as part of a comprehensive, integrated development
- 3.8 In determining whether two or more adjacent pieces of land should be considered as one, the Authority will consider the following:

- Whether a previous application incorporated parts of both sites;
- Whether the sites are inter-dependant (i.e. when one site is dependent on another for development) in any way – for example, functionally or physically, shairing access etc;
- Whether there is a financial or business link between the owners (e.g. if a site has been deliberately split into two, and put in two different names);
- Whether there is a reasonable prospect of developing both sites together; and
- Whether there have been actions undertaken on behalf of an owner or developer to release land after a site in close proximity has benefited from a planning permission.

New affordable dwellings on rural exception sites

- 3.9 In exceptional cases, the Authority will allow permission to be granted on suitable land outside but immediately adjoining the defined housing development boundaries to provide for affordable housing need in local communities. These are called “exception sites”. These sites should be offered at a nominal land value and it is expected that only very small sites or single plots will come forward at any one time.

3.10 Proposals will be assessed based on proven need, the suitability of the site. The density, setting, design, materials, landscaping etc. must protect and maintain the existing character of the settlement.

3.11 Proposals for small scale affordable housing units immediately adjoining a housing development boundary will be supported provided that:

- A need for affordable housing has been demonstrated through an approved local housing needs survey or on the written advice of the local housing authority¹.
- The need cannot be satisfied within a reasonable period of time by:
 - a) The use of a suitable available site within the housing development boundary of the settlement
 - b) The use of existing housing which is available for sale or rent in the locality
 - c) The conversion or rehabilitation or redevelopment of existing buildings in the locality which are available
 - d) The use of a site allocated for affordable housing is available.
- The site is a redevelopment of existing buildings or represents a logical and sympathetic extension of the settlement in a way which does not prejudice the character of that settlement or the appearance of the surrounding countryside and is not located within a green wedge.

3.12 It is important that the number of affordable housing developed on an exception site is confined to and appropriate to the identified local need for affordable housing. It is also necessary that the maximum number of affordable housing units developed is commensurate with the size of the settlement. Appendix 5 contains guidance on the potential number of affordable housing units that may be appropriate for exception sites in each settlement.

3.13 In some cases, an already allocated site might not come forward because of ownership or other physical impediments. In such cases, where this will lead to a delay in site release, an exception site can be allowed based on need.

New affordable dwellings delivered through the conversion / change of use of buildings for residential use

3.14 The conversion of buildings for residential use can also contribute to the housing stock. The conversion of buildings into dwellings within the housing development boundary can reduce the pressure to release green field sites and in general such conversions are considered favourably.

¹ Gwynedd Council or Conwy Borough Council

- 3.15 In the case of all conversion / change of use of a building to residential use **a 50% affordable housing contribution will be sought** in line with Development Policy 30. The applicant will have the option of either converting the building into an affordable local need unit or making a commuted sum payment² to help fund affordable housing elsewhere in the National Park. If a commuted sum is accepted the dwelling will revert to an open market house and not be counted as an affordable dwelling.
- 3.16 Beyond the Housing Development Boundary of any settlement, the re-use of rural buildings such as field barns can also provide a source of new affordable housing and offer a means of successfully preserving traditional buildings. A 50% affordable housing contribution will be sought by either converting the building into an affordable local need unit or making a commuted sum payment as highlighted above in line with Development Policy 30: Affordable Housing and Development Policy 9: Conversion and Change of use of rural buildings.
- 3.17 Great care is needed however in deciding the suitability of a building for re-use as a residential dwelling, in order to avoid harming either the character of the original building or the environment in which it is situated. The Authority will only permit the conversion of a non-residential building to a residential use where it can be demonstrated that the proposal reflects the original character of the building and respects its setting.
- 3.18 In some cases, it will be a challenge to retain conversion costs within affordable limits. This could be done by splitting the conversion into more units if this is acceptable on design grounds.

Rural Enterprise Dwellings

- 3.19 The provision of dwellings in the open countryside for rural enterprise workers may be acceptable subject to assessment in line with Planning Policy Wales and Technical Advice Note (TAN 6). **The future occupancy of a Rural Enterprise Dwelling will be controlled by a condition which will require the dwelling to be occupied by a worker (and/or dependant(s) or widow/er) directly associated with a rural enterprise or if there is no such eligibility by a person meeting the Authority's affordable housing for local needs eligibility criteria.**
- 3.20 To ensure the dwelling remains affordable **the size of the dwelling must not be excessive.** The same dwelling size as an affordable local needs house (as indicated in Section 8 of this SPG will be applied to Rural Enterprise Dwellings i.e. a two storey 5 bedroomed house should not exceed 120m². If an applicant demonstrates a genuine and reasonable business related need for office/shower/boot room consideration may be given on a case by case basis to the minimum additional floor space that may be required. The size of the curtilage should also be the minimum necessary for reasonable domestic/business use and householder permitted development rights may be withdrawn so that control can be

² Commuted Sum (or payment in lieu) is the term used for the financial contribution received by the Local Planning Authority from applicants which is then used to help fund affordable housing elsewhere in the National Park.

exercised over the enlargement or alteration of the dwelling in ways that would change its affordability for future occupiers.

- 3.21 The new Rural Enterprise Dwelling will also need to be tied to the holding by way of a legal agreement to prevent the dwelling being sold separately without further application to the Authority.**

4 WHAT IS AFFORDABLE HOUSING?

Defining Affordable Housing:

Affordable housing is housing available to people who cannot afford to rent or buy houses on the open market.

4.1 Planning Policy Wales (PPW), Technical Advice Note 2 'Planning and Affordable Housing' (2006) states that affordable housing:

"...is housing where there are secure mechanisms in place to ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers."

4.2 Welsh Government guidance notes that Affordable housing includes:

- **Social rented housing** – provided by local authorities and registered social landlords.
- **Intermediate housing** – where prices or rents are above those of social rent but below market housing prices or rents.

4.3 All other types of housing are referred to as "market housing" – private housing for sale or rent where the price is set in the open market and their occupation is not subject to control by the local planning authority.

Defining Affordability

4.4 Technical Advice Note (TAN) 2 states that:

"The concept of affordability is generally defined as the ability of households or potential households to purchase or rent property that satisfies the needs of the household without subsidy. This could be based on an assessment of the ratio of household income or earnings to the price of property to buy or rent available in the open market in the required local housing market area."

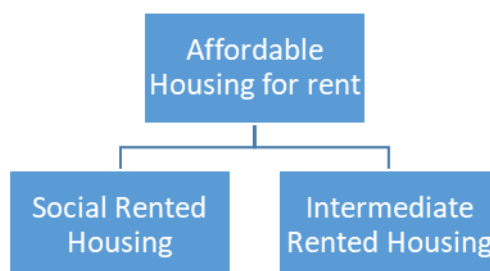
4.5 Both Gwynedd and Conwy Local Housing Market Assessments states that a typical measure of affordability for owner occupation is broadly based on 3.5 times household income multiple together with a First Time Buyer deposit.

4.6 It is important to stress that while the above definition has been used it may change over time and is for guidance only. A degree of flexibility may be required over the lifetime of the Plan to ensure the delivery of affordable housing.

5 TYPE OF AFFORDABLE HOUSING

- 5.1 Affordable housing provided through the planning process within Snowdonia National Park is expected to meet the following categories:

AFFORDABLE HOUSING FOR RENT



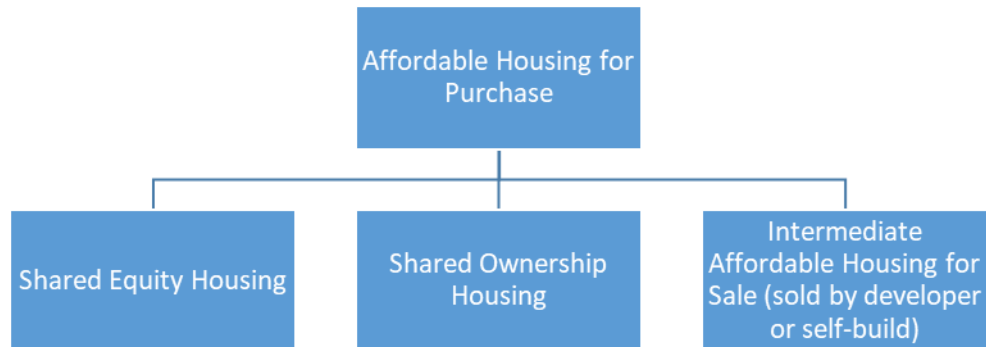
Social rented housing

- 5.2 Social rented housing is owned and rented by a Registered Social Landlord. Registered Social Landlords (RSLs), more commonly referred to as Housing Associations, are not for profit organisations which provide and manage affordable housing for rent and sale. The Registered Social Landlords that currently operate within the Snowdonia National Park are Grŵp Cynefin, Adraand Cartrefi Conwy. The rent levels for the affordable housing provided by a Registered Social Landlord will be subject to Welsh Government controls. Registered Social Landlords shall determine the eligibility of the occupants in accordance with their allocation policies.

Intermediate Rented Housing

- 5.3 Intermediate rented housing is housing where rents are above those of social rented housing but below market housing rents. Intermediate rent levels should not exceed the prevailing Local Housing Allowance for the respective Broad Market Rental Area.
- 5.4 Intermediate rented housing can be provided by an RSL, or a developer who is an established landlord. Intermediate rented affordable housing will require a Section 106 Agreement to ensure that the property will remain affordable in perpetuity for a local person in housing need.

AFFORDABLE HOUSING FOR PURCHASE



Shared Equity Housing

- 5.5 Shared equity is where the applicant is offered the opportunity to purchase the property at a discounted rate, with the amount of discount treated as an interest free loan secured as a second charge on the property and repayable to the provider on the sale of the property or stair casing to 100% ownership.
- 5.6 A Section 106 Agreement will ensure that the property remains affordable in perpetuity for a local person in housing need.

Shared ownership housing

- 5.7 Shared ownership is where the occupant owns a percentage of the property and the remainder is owned usually by a RSL. The occupant pays a rent to the RSL for the proportion of the property they do not own. Exceptionally, it can also be provided by a developer who has a scheme in place and capacity to operate it.
- 5.8 The Authority will require a Section 106 Agreement to ensure the property will remain affordable in perpetuity to a local person in housing need. The affordable housing units will be excluded from any right to buy introduced in favour of the occupiers of the affordable housing units and /or from any other mechanisms that could result in the affordable housing units becoming available for sale of 100% of the freehold open market unless otherwise in complete accordance with the affordability criteria applying to intermediate affordable housing for sale (which restrict the selling price of the units in question to a defined discount (percentage) below normal market value (fixed in perpetuity)).
- 5.9 Registered Social Landlords (RSLs) will also be required to ensure that they have pre-emption rights on all those newly developed properties in their part-ownership which will allow the RSLs first option to purchase any properties in future re-sales. In the case of social shared ownership housing development outside the housing development boundary a clause will be included to ensure that part owners will normally not be permitted to staircase to full ownership of the property (maximum ownership will normally be no greater than 80% share of the property). In areas of extremely high open market house prices, the percentage of the property that a part owner will be able to staircase his/her ownership to will be restricted further.

- 5.10 The Authority will also view favourably schemes for private shared ownership housing where these are subject to the same provisions and safeguards as a RSL.

Intermediate affordable housing for sale (sold by developer/self-build)

- 5.11 Intermediate affordable housing for sale is where the sale price of the property is restricted to a defined discount (percentage) of open market value and where there are secure mechanisms in place to ensure that the property is affordable and available to those in local housing need in perpetuity. This type of housing can be built and sold by developers to a person in local affordable housing need or can be developed and occupied by individuals in local affordable housing need as self-build.
- 5.12 Intermediate affordable housing for sale enables people who would otherwise be unable to buy on the open market to purchase a property. Tai Teg acts on behalf of the Authority to ensure that applicants and future occupiers of dwellings are in affordable housing need and comply with the local occupancy criteria laid out in the Eryri Local Development Plan and in section 6 of this SPG.
- 5.13 Affordable housing should not be smaller, cheaper houses, in fact, all affordable housing units should be as good if not better than market housing units in terms of external design quality and materials. The affordable dwelling must be in accordance with the relevant maximum internal floorspace sizes as indicated in Section 8 of this SPG.
- 5.14 When establishing the affordable selling prices for homes to be sold, the Authority will consider local household median incomes. An initial affordable selling price will be published for each of the Eryri LDP Zone of Influence area and these will be revised by using gross household income data from the most recently published CACI Paycheck data.
- 5.15 Here is the formula used to calculate the affordable price levels of 1 - 2 bed and 3 - 4 bed new build properties:

1 bed and 2 bed affordable price = Eryri Local Development Plan Zone of Influence area median income x 3.5 income multiplier + 20% deposit

3 bed and 4 bed affordable price = Eryri Local Development Plan Zone of Influence area median income x 4 income multiplier + 20% deposit

- 5.16 Further details of the affordable prices for different types of properties are contained in appendix 6.
- 5.17 The initial affordable price will be compared against the prevailing open market value for the unit and a fixed percentage discount will be established based on the formula set out in Appendix 6.

- 5.18 In order to determine the open market value, the applicant must obtain a formal written valuation of the property certified by a suitably qualified chartered surveyor. The open market valuation must be to the Royal Institute of Chartered Surveyors definition of Open Market Value in line with the red book valuation ignoring all Section 106 restrictions relating to affordable housing. The valuation should be based on the plans drawn up for the proposed property and should be sent to the Authority with the application. The financial costs in relation to obtaining the valuation will be borne by the applicant.
- 5.19 Initial and future affordability in relation to the affordable home will be secured through a Section 106 Agreement. The initial and all subsequent re-sales will be restricted to a level based on the defined fixed discount (percentage) below open market value (as highlighted in Para 5.8 and in Appendix 6). It will be the responsibility of the homeowner intending to sell the property to obtain a formal written valuation of the property, certified by suitably qualified chartered surveyor, and to present the information to the Authority or its nominee.

Co-operative housing / Community Land Trusts

- 5.20 Where a number of self-builders are interested in providing affordable housing a way forward may be to support self-build within the context of Community Land Trusts. A community land trust is a non-profit, community based organisation. The common purpose of such trusts is to remove land from the speculative market and to make affordable housing available to people least served by the prevailing market.
- 5.21 A Community Land Trust enables people to bring land into community ownership to:
- Provide affordable housing and keep it affordable in the future
 - Secure affordable land for workspace, food growing and conservation
 - Control local land use and reduced absentee ownership or gentrification
 - Promote resident ownership and control of housing
 - Retain the value of public investment for long-term benefit
 - Enable people to take common action for mutual benefit
 - Offer a secure way for people to invest for local benefit
- 5.22 Further information about Community Land Trusts can be obtained by contacting Wales Co-operative Centre, contact details contained in Appendix 7.

Tenure neutral

- 5.23 Affordable housing may also be developed as 'tenure neutral' which allows housing to be allocated as a particular tenure on the basis of need and can take the form of social rented housing, intermediate rented housing, shared equity housing and shared ownership housing. Such schemes should enable the RSL to buy back the property and recycle the asset in the future.

6 CONFORMING TO 'HOUSING NEED' AND 'LOCAL' CRITERIA

- 6.1 In order to conform to Affordable housing policies, the applicant must be able to prove that they are in housing need as defined below in paragraph 6.4. In addition to being in housing need, proposed occupiers of new affordable housing must satisfy the definition of a local person as defined in paragraph 6.7. The Authority seeks assistance from Tai Teg in assessing the housing need of proposed occupiers of new affordable housing. Further details of the assessment process are included in section 7.
- 6.2 It is possible that financial evidence will need to be provided and, where there is an alleged need on medical grounds or similar, evidence from a qualified/professional person in the relevant field will also be required to support the application. In this sense, the ability to differentiate between demand/desire and need is essential and this will be the main purpose of the assessment.
- 6.3 The affordable housing provided should meet the needs of local people. The following paragraphs define 'housing need' and; local' for affordable housing development within the National Park:

'Housing need' definition:

- 6.4 In order to fully comply with one of the following categories of 'need' it must be necessary to demonstrate that the intended occupants do not have the financial ability (through equity or savings) to better their living situation and that sufficient financial evidence can be provided to substantiate this. Genuine 'housing need' is defined as the future occupier cannot afford to rent or buy accommodation in the locality on the open housing market and meets one of the following criteria:

- currently homeless
- establishing a new household for the first time
- has been living in rented accommodation for at least three years
- their current house is deemed by the Housing Authority to be in sub-standard condition and it can be proven that the current house cannot be converted or upgraded to meet their need
- their existing house is too small for the family and it can be proven that the present home cannot be converted or upgraded to meet their need.
- has an essential need to live close to another person who has a minimum of 5 years permanent and continuous residence in the qualifying area, the essential need arising from proven age or medical reasons.
- has specific requirements (the elderly or disabled) that cannot be met by the existing accommodation
- Is providing key work or service and has a full time permanent job offer in the qualifying area.
- Is leaving tied housing on retirement
- That no suitable accommodation is available in the locality and the person wishes to stay within the local community for economic or cultural reasons

6.5 For the purpose of this plan 'Key workers' are defined as a person who needs to live within the Snowdonia National Park to take full time permanent employment (37 hours or more) and provide the following service:

1. Teacher in a school or further education establishment or a tertiary college;
2. Nurse or another member of staff employed by the National Health Service;
3. Police officer;
4. Probationary services officer;
5. Social worker;
6. Educational psychologist;
7. Occupational therapist employed by the local authority;
8. Emergency services officer;
9. Other jobs vital to the Plan area's economy

6.6 To avoid misuse of the policy, consideration will also be given to any property that the intended occupant(s) of the new accommodation have sold or disposed. Also, owning a site is not in itself evidence of need – merely an opportunity. A site might not be suitable for development although the owners of the site are able to demonstrate evidence of need.

'Local' definition

6.7 In addition to being in housing need, proposed occupiers of new affordable housing must satisfy the definition of a local person. A definition of a local person in respect of each of the types of settlement is as follows:

Local Service Centres (Dolgellau and Y Bala):

A person is local if he or she has lived or worked in full time permanent employment, normally for a continuous period of 5 years within the 'qualifying area' i.e. former administrative boundary of Meirionydd District council or any community council immediately adjoining this area.

Service Settlements, Secondary Settlements and Smaller Settlements:

A person is local if he or she has lived or worked in full time permanent employment normally for a continuous period of 5 years within the 'qualifying area' i.e. Community Council in which the development is proposed or in a Community Council which is immediately adjoining that area.

Where any relevant Community Council straddles the Park boundary then that part of the Community Council outside the Park falls within the qualifying area.

Re-sales cascade

6.8 The Authority's Section 106 agreement includes a re-sales cascade and a mortgagee in possession procedures. In order to determine the affordable price of the Affordable Dwelling, the applicant must obtain a formal written valuation of the property, certified by a suitably qualified chartered surveyor, and present the information to the Authority or its nominee. The financial costs in relation to obtaining the valuation will be borne by the home owner. The valuation must state that the values are to the Royal Institute of Chartered Surveyors definition

of Open Market Value ignoring all Section 106 restrictions relating to affordable housing. The Authority or its nominee will calculate the affordable selling price by multiplying the prevailing open market valuation with the fixed percentage discount as stated in the Section 106 Agreement attached to the Affordable Dwelling in question.

- 6.9 Once this has been determined the dwelling can be advertised for sale/rent for people living within the initial qualifying area or offered to those on a qualifying housing waiting list.
- 6.10 If after a period of two consecutive months the property, having been marketed as required above, remains unsold/unlet or has not been transferred to a RSL or Housing Body, the Authority can, upon certification, relax the conditions relating to the occupancy of the property which will allow the property to be offered to other persons in housing need who have lived or worked in full time permanent employment for a minimum and continuous period of 5 years within the National Park or any community council area immediately adjoining.
- 6.11 If, after a further two consecutive months of advertising, the property still remains unsold/unlet, it can be offered, after certification by the National Park Authority, to a person in housing need who has lived or worked in full time employment for a minimum and continuous period of 5 years within the National Park together with the counties of Gwynedd and Conwy or any community councils adjoining in the Park in Powys, Ceredigion and Denbighshire.
- 6.12 If, after a further one month of advertising, the property still remains unsold, or after a further two consecutive months it still remains unlet, it can be offered, after certification by the National Park Authority, at the affordable price/rent to any person subject to a condition that the Section 106 agreement applies to subsequent owners.
- 6.13 All the above time periods will be subject to review and may be changed if they are found to be over –restrictive or not in accordance with good practice.

7 EVIDENCE OF NEED

Local Housing Market Assessment

- 7.1 The local housing market assessments for Gwynedd and Conwy³ give an indicative affordable housing need figure for areas of Gwynedd and Conwy within the Park boundary of approximately 2,130 houses over the whole plan period (2016-2031). The overall figure of affordable housing need identified in the LHMA is much higher than what can be practically delivered in the Eryri LDP given the relatively low overall housing requirement figure and having considered the environmental capacity of the area. Housing sites in the National Park are also small, therefore, the contribution of affordable homes has to come from a greater number of smaller sites. The viability of developing potential sites has been tested and varies across the National Park and this is likely to impact on the overall capacity to deliver and achieve affordable housing. Taking all the above factors into account, **the overall affordable housing target in the Eryri LDP has been realistically set at 375 dwellings up to 2031.**
- 7.2 Proposals must take appropriate account of local housing needs in terms of size, type and tenure of dwellings. The house types should reflect the results of the Local Housing Market Assessment or appropriate local needs surveys.

Rural Housing Enablers (RHE) - Local Housing Needs Survey

- 7.3 The Snowdonia National Park Authority part funds the North West Wales Rural Housing Enabler Partnership. The Rural Housing Enablers, work closely with community councils and co-ordinates a programme of local housing need surveys. These local housing needs surveys provide evidence of local housing need within Snowdonia National Park communities. Developers are encouraged to engage with the RHE at an early stage, and where primary sources (LHMA, Social Housing or Intermediate Housing Registers) don't support a need for Affordable Housing in a rural locality there will be a requirement for a RHE study to be undertaken. It should be noted there may be a charge for this service.

Social Housing Register and Tai Teg Intermediate Housing Register

- 7.4 The level of affordable housing need will also be identified by referring to Social Housing Registers (Gwynedd Common Housing Register and Conwy Housing Register (Single Access Route to Housing (SARTH) . The intermediate affordable housing register is administered across North Wales by Tai Teg. Priority will be given, where appropriate, to eligible households on social housing register and Tai Teg register. In the event that no suitable households can be

³ Gwynedd LHMA Study (2013-2018) and Conwy LHMA Study (2016-2021)

identified the properties will be made available to other eligible households in need of affordable housing.

Assessment of 'housing need' and 'local' criteria

- 7.5 Potential occupiers of affordable housing should ideally be registered on a Social housing register or on Tai Teg the intermediate housing register. Alternatively potential occupiers will need to contact Tai Teg (which is administered by Grwp Cynefin) to assess whether they conform to the 'housing need' and 'local' criteria as defined in Para 6.4 and 6.7 and to confirm whether or not an applicant for affordable housing is eligible for such housing. Further information about the Tai Teg register is included on their website (www.taiteg.org.uk) and their contact details are included in appendix 7.
- 7.6 If the potential occupier has already been approved and registered on the Tai Teg Low Cost Home Ownership Register, they will be asked to proceed to complete and submit the detailed Tai Teg form, with all required supporting documentation to enable them to fully assess their housing need.
- 7.7 If the potential occupier is not already registered on the Tai Teg Low Cost Home Ownership register they will be asked to complete the detailed Tai Teg form to enable them to fully assess their housing need.

8 AFFORDABLE HOUSING REQUIREMENT

Pre-application enquiry

- 8.1 The Snowdonia National Park Authority will encourage prospective applicants to seek clarification on the affordable housing implications by a pre-application enquiry with the relevant development management case officer. This will ensure the application meets the affordable housing requirements. There would be obvious advantages for a potential developer to involve and RSL in working up a scheme and seek to agree terms with them, if they intend to develop a larger site.
- 8.2 The Authority will require that a full planning application is submitted on all exception site applications to ensure that sufficient detailed information is submitted to enable the Authority to determine the application.

Type, Size and Design of Affordable Housing

- 8.3 The type, size and design of the house will affect its 'affordability' for the first occupant and subsequent occupants. The Authority will ensure that any proposal for affordable housing is of an appropriate size, which will meet an identified local need.

Type of Properties

- 8.4 To ensure that the affordable housing provided meets local housing needs, the type of the property to be provided will be based upon advice from the Local Authority Housing Authority, Local Planning Authority, from RSLs and also from results of any relevant local housing needs surveys undertaken and the findings of the Local Housing Market Assessment.

Size of Affordable Housing

- 8.5 The Authority will ensure that any proposal for affordable housing is of an appropriate size, which will meet an identified local need. The size of dwellings must not be excessive in relation to the size of the property required to meet the target's need (or it may not be affordable to other people). The size of affordable housing units will be restricted so they are commensurate with the needs of the intended household.
- 8.6 Affordable housing development that receive Social Housing Grant must conform to the Welsh Government requirements on the size of affordable housing.
- 8.7 Affordable housing developments that do not receive Social Housing Grant should conform to the following size requirements.

8.8 The maximum size of affordable units⁴ should not exceed:

Bungalow 2 bedroomed – 80m²
Bungalow 3 bedroomed – 90m²
Two storey 2 bedroomed – 90m²
Two storey 3 bedroomed – 100m²
Two storey 4 bedroomed – 110m²
Two storey 5 bedroomed– up to 120m²

(Garage – an additional 20m²). The design should reflect its use as a domestic garage / storage area. A condition will be used to ensure the garage is not used as /converted into living accommodation.

If the dwellings are dormer bungalows then they should be treated as two storey dwellings.

The above internal floor space sizes are strict guidelines and we cannot foresee circumstances where they should be exceeded.

8.9 It will also be necessary to consider the relation between the size of the plot and the size of the property/number of houses to be developed etc. so that this also reflects the affordability of the property. The plot size will become the residential curtilage of the dwelling and therefore will influence the value of the property. Residential developments should make the best use of land. The Authority will seek a density of 30 dwellings per hectare for residential developments (unless there are local circumstances such as the character of the locality that suggests a lower density may be more appropriate).

8.10 In determining the number of bedrooms required by an applicant for affordable housing, consideration must be given to the following:

Separate bedrooms should be ensured for:

- Husband/wife or similar partnership
- Each person aged 18 years or over
- Children aged 8 or over of different sex from children of any age
- No more than two persons should occupy one bedroom

Design of Affordable Housing

8.11 New affordable housing units should be fully integrated and as good if not better than market housing units in terms of external design quality and materials.

⁴ Gross internal floor space

- 8.12 All development should be undertaken in accordance with relevant policies contained in the Eryri Local Development Plan, in particular Development Policy 6: Sustainable Design and Material and the Authority's SPG on Sustainable Design in the National Parks of Wales.
- 8.13 Affordable housing built using Social Housing Grant **will be required to meet the Welsh Government's Development Quality Requirements (DQR)**. The Authority's preference is that private developers also provide affordable units to DQR standards as it would allow flexibility for RSLs to purchase those units should the developer fail to find suitably qualified individuals.

Residential development and the Welsh Language

- 8.14 In determining all applications within the National Park, the needs and interest of the Welsh Language will be taken into consideration. This will be achieved through refusing development which due to its size, scale or its location, would cause significant harm to the character and language balance of a community. To be able to make an informed decision on applications applicants will be required to submit a:
- a) 'Community and Linguistic Statement' to accompany a planning application for unanticipated windfall sites of 5 or more residential units;
 - b) More detailed assessment in the form of a 'Community and Linguistic Impact Assessment' to accompany a planning application where developments are on a larger scale. Larger developments in this case are regarded as proposals which are substantially above the thresholds outlined in criterion (a) and are likely to be located on unallocated sites, have some significance beyond the National Park boundary and be unrelated to specific policies in the Plan.
- 8.15 Further information on the requirements are included in the Authority's Supplementary Planning Guidance: Planning and the Welsh Language.

Permitted Development Rights

- 8.16 Permitted development rights are the rights property owners have to alter or extend the property without formal planning consent. In respect of all new affordable housing for local needs, permitted development rights for extensions will be removed to ensure that an extension or alteration would not increase the value of the property beyond the value of an affordable house that meets local need.
- 8.17 For integral garages, a planning condition will remove permitted development rights to convert into living accommodation. Detached garages will have a condition imposed to ensure they shall only be used as a domestic garage and storage area and shall not be used as living accommodation or for overnight sleeping accommodation. This does not mean that the owners will never be able to alter or extend their homes. It does mean that they will require planning consent to carry out the alteration/extension. In considering the application, the

Authority will consider whether or not the alteration/extension would be likely to make the property unsuitable or unaffordable to another person in local housing need. If it does, consent will not be granted.

9 DELIVERING AFFORDABLE HOUSING

Delivery Mechanisms

- 9.1 RSLs, Community Land Trusts, private developers in addition to individual people (including those wishing to 'self build', builders or land owners) can develop affordable housing subject to their proposals conforming to the policies referred to in this Guidance and all appendices.

Involvement of Registered Social Landlords (RSLs)

- 9.2 Developers will be encouraged to work with RSLs to provide affordable housing. Three RSLs currently operate within the Snowdonia National Park namely Grwp Cynefin, Adra and Cartrefi Conwy. Contact details of RSLs are included in appendix 7.
- 9.3 Developers are encouraged to seek a RSL partner at the earliest opportunity. They should ensure that proposals for affordable housing provision meet the requirements of the RSL, who should preferably be party to any Section 106 agreement.
- 9.4 The implementation of development plan policies should ensure that the affordable housing is provided in such a way that it is economically viable for the RSL, is genuinely affordable to those in housing need and represents best value in the use of public funds.
- 9.5 It is envisaged that the most common methods of providing affordable housing through a RSL will be either:
- a) A developer transfers fully serviced plots of affordable housing land to a RSL, or;
 - b) A developer transfers affordable housing land at a nominal sum and enters into a building contract with the RSL or;
 - c) A developer builds affordable housing units and transfers ownership to a RSL.
- 9.6 Costs will be calculated according to the prevailing Welsh Government Acceptable Cost Guidance (ACG) level and grant rates. The proposed delivery route should be the subject of negotiation and agreement between the Developer and the RSL. Whatever route is chosen, early pre-application discussions must take place between a developer and a RSL to ensure that the relevant design requirements are taken into account. Failure to do so can require costly modifications to the scheme at a later stage.

Non-involvement of a Registered Social Landlord (RSL)

- 9.7 Where an applicant does not propose to work with a RSL, the Authority will seek assistance from Grwp Cynefin in assessing the housing need of proposed occupiers of new affordable housing. It is necessary for potential occupiers of proposed or completed affordable dwellings to prove that they are in 'housing need' and that they satisfy the definition of a 'local person' as defined under 'applicant eligibility' below. As the National Park is not a housing authority it seeks assistance from Tai Teg which is administrated by Grwp Cynefin in assessing the needs of individuals as highlighted in section 7

Off-site provision

- 9.8 Affordable housing should normally be provided through planning agreements on site to ensure housing is provided in the location where it is needed. Due to the limited suitable development land in the National Park, priority will be given to on-site provision.
- 9.9 Off-site provision will only be considered where it can be demonstrated that on site provision would not be appropriate. The onus will be on the developer to set out the exceptional circumstances as to why provision may not need to be on site and how their alternative proposal will address the affordable housing need identified in the area. Off-site contribution may be considered appropriate where the required contribution equates to less than one whole unit (a partial unit) and therefore would not be practicable to provide on-site.

Commuted Sums

- 9.10 In all cases where the Authority would seek commuted sums, the amount of financial contribution in a commuted payment will reflect the type, size and number of properties that would have been required to be provided on-site.
- 9.11 Where the required contribution equates to a part unit, for example on housing development of between 6 and 9 in Bala and Dolgellau where the target contribution of 20% would equate to between 1.2 and 1.8 units, one full unit should be provided on-site, with the equivalent of a part unit provided as a commuted sum (see example of calculation in Para 9.15). In this situation, the developer may also be given the option to provide an additional unit on-site a (total of 2 units), instead of providing a separate commuted sums for the partial unit.
- 9.12 The financial contribution will be calculated on the basis of the amount of Social Housing Grant that a RSL would normally expect to receive from the Welsh Government to facilitate the development of an affordable housing scheme. This is based upon Welsh Government's Acceptable Cost Guidance (a current web link can be found in Appendix 9), which sets out the typical cost of building specific house types in the area. The financial contribution per unit is calculated on the basis of 58% of this figure and examples are provided below. If this arrangement is accepted, the houses in question will revert to open market housing and the commuted payment used for providing affordable houses on other sites in the area.

9.13 **No commuted payments will be acceptable on exception sites or on sites within the smaller rural settlements, which must in all cases be affordable housing.**

9.14 The examples given below are for guidance only and will be subject to revision and updating.

Payment is based on a formula calculated as follows:

$$A \times (B \times C) = \text{Sum payable}$$

Where:

A = Number of affordable units

B = Relevant Accepted Cost Guidance level for the type of unit in question

C = Social Housing Grant Rate (58% of the Accepted Cost Guidance for the type of unit in question)

Worked Example (based on a fictional development)

Development Site for 8 Units in Bala. Affordable housing requirement of 20%

1.6 Affordable Units to be provided as part of the development therefore:

- 1 unit to be provided on-site
- 0.6 of an unit to be provided off-site through commuted sum:

1 units of 4 Person 2 Bedroomed Units 1 x (£165,500 x 58%) = £95,990

0.6 contribution = £57,594

Total Contribution

£57,594

*Figures used in above example based on Welsh Government Acceptable Cost Guidance levels 2018

9.15 In the case of conversions, a 50% affordable housing contribution will be sought in line with Development Policy 30: Affordable Housing. The applicant will have the option of either converting the building into an affordable local need unit or making a commuted sum payment to help fund affordable housing elsewhere in the National Park. If a commuted sum is accepted the dwelling will revert to an open market house and not be counted as an affordable dwelling.

- 9.16 Based on the example shown below a 50% commuted payment is likely to be in the region of £47,995 based on a two bedroom conversion and £50,547 for three bedroom unit.
- 9.17 If an affordable house is sought, the applicants will be assessed in accordance with the policy criteria and a Section 106 Agreement will be entered into to ensure that the property remains both affordable and available to local people both in the first instance and in perpetuity.
- 9.18 If an open market house is being sought a legal agreement will be entered into to make an Affordable Housing Commuted Sum to the Authority. The commuted sum is the amount that a developer will pay to the Authority as a requirement of the planning permission for the purpose of helping to fund affordable housing elsewhere in the National Park area.

Worked Examples for a single conversion of different types (based on a fictional development in a fictional Community)

Example 1

4 Person 2 Bedroomed Conversion 1 x (£165,500 x 58%) = £95,990

50% affordable housing contribution 2 bed conversion = £47,995

Example 2

4 Person 3 Bedroomed Conversion 1 x (£174,300 x 58%) = £101,094

50% affordable housing contribution 3 bed conversion = £50,547

*Figures used in above example based on Welsh Government Acceptable Cost Guidance levels 2018

- 9.19 The Authority operates flexible commuted sum payment arrangements. The applicant may pay the commuted sum in three equal instalments with the first payment to be paid on or before the date on which planning permission for the development is granted by the Authority, the second lump sum on or before the commencement of development and the remaining sum to be paid on or before the occupation of the dwelling.

The use made by the Authority of an affordable housing commuted sums

- 9.20 The Authority will work to ensure that it makes the best use of any affordable housing commuted sums received to assist in the delivery of affordable housing. The Authority will use any affordable housing commuted sums primarily to facilitate an affordable housing scheme.

9.21 Affordable housing commuted sums may also be used to facilitate the provision of affordable housing directly by a housing association or to bring back empty properties into use as affordable housing for local needs elsewhere within the National Park. The Authority also reserves the right to contribute to any other innovative schemes, which have clearly demonstrated value for money and the ability to deliver affordable housing. Further information is contained within the Authority's Supplementary Planning Guidance on Planning Obligations (5).

Issues of scheme viability

9.22 The value of any land that is subject to any type of affordability planning agreement will be less than the value of the same land on the open market. **Planning policy requirement for affordable housing is a 'known cost' and should therefore be reflected in land value. Applicants are advised to take affordable housing requirement into account when negotiating the purchase of land / buildings for development.**

9.23 **Applicants should seek guidance from this Authority prior to purchasing land / buildings.** Plot values subject to affordable housing should range from £5,000 - £20,000. The cheaper the plot value the more likely a house can be built to an affordable price.

9.24 **Planning policy requirements must be taken into consideration when purchasing agricultural barns, chapels and other redundant buildings and should be reflected in the purchase value.** As there are no regional builders operating in the area, smaller builders are likely to operate on less profit margins and for self-build projects, no profit margin should be included in the development cost calculations.

9.25 **The Authority will assume that any costs associated with developing a particular site have been taken into account when land has been purchased. Allowance will usually only be made where applicants can demonstrate genuine post-purchase abnormal costs which may affect site viability.**

9.26 Applicants/developers will be expected to show evidence that they have taken known development costs into account in agreeing realistic land values, and only costs that were unforeseeable at the time of acquisition will be considered abnormal for the purpose of any financial appraisals. Appendix 3 in the Authority's Supplementary Planning Guidance on Planning Obligations (5) sets out what will not be considered as abnormal development costs.

9.27 It is recognised that all sites and projects will differ in terms of their context and characteristics. In some cases, abnormal development costs may limit the opportunity to deliver against policy requirement. There is a clear need to share an understanding of the financial facts and assumptions that provide the context for each individual proposal at the pre-application stage so as not to unduly delay the planning approval process.

9.28 It is for the applicant to provide convincing evidence that demonstrates unviability when submitting an application. A financial viability

appraisal will need to be provided by the Applicant to prove the case regarding the unviability of providing affordable housing. Any evidence would be considered on a site-by-site basis.

- 9.29 Where an applicant advises that the cost of providing affordable housing means that the site will not be viable to develop they will be expected to prove this by describing the costs and the value of the development fully. This process will include a thorough appraisal of the site economics and will require co-operation and an open book approach between the applicant, developer or landowner and the Authority. Any confidential financial figures supplied will not be made public but held on a separate file to the actual planning application file.
- 9.30 The Authority may suggest a change of design, house type or density which could improve viability and ensures that a scheme progresses. However, the Authority will oppose a scheme where, by virtue of its design and scale, is clearly unsuitable or unviable for affordable housing.
- 9.31 The Three Dragons 'Development Appraisal Toolkit' (or any other alternative toolkit considered acceptable by the Authority), used elsewhere in Wales by Local Planning Authorities and developers alike, may also be used as a guideline by the Local Planning Authority, where there is a dispute about the provision of affordable housing on a site which is the subject of a planning application. The toolkit is a software programme used to arrive at a residual value for the land by comparing the full costs of building a residential development with the revenue generated through house sales and any revenue generated by the affordable housing. The software can also be used to check the construction and development costs of individual affordable units. In cases where disputes remain about values and cannot be resolved, the services of the District Valuer Service will be sought to resolve such disputes with the costs to be borne by the applicant.
- 9.32 However, where genuine difficulties with site viability can be proven without doubt, the Authority will consider, through negotiation, reducing the percentage contribution of affordable housing or negotiate an appropriate commuted sum.

10 MEASURES TO MANAGE AFFORDABLE HOUSING FOR THE FUTURE

10.1 It is important to ensure that where affordable housing is provided, it remains affordable for subsequent purchasers and occupiers. Robust occupancy controls are therefore required in order to secure the housing in question. The methods identified by Snowdonia National Park Authority to control and manage affordable housing developed are as follows:

Registered Social Landlords (RSLs)

10.2 The Authority's preferred approach for controlling the occupancy of affordable housing provided will be for its management to be undertaken by a RSL. The involvement of a RSL to manage such affordable housing will be an effective way of controlling occupancy and should ensure control over subsequent changes of ownership and occupation.

Legal Agreements (Section 106 Agreements)

10.3 The future affordability, management and ownership of any affordable dwellings will be ensured in perpetuity through the imposition of planning agreements under Section 106 of the Town and Country Planning Act, which shall be applied to planning permissions. Section 106 agreements will apply to successive owners.

10.4 The Authority's Section 106 agreement has been prepared taking into account the recommendation in a guidance note prepared by the Welsh Local Government Association (WLGA), Welsh Government, the Council of Mortgage Lenders (CML) and the Chartered Institute of Housing (CIH) and Community Housing Cymru (CHC) on securing mortgage access for Affordable Housing.

10.5 Section 106 Agreements will apply to individuals, groups and RSLs. Furthermore, in the case of dwellings in private ownership it will be necessary to ensure that the dwelling will always be used as the principal residence of a local person in need of an affordable dwelling.

10.6 Snowdonia National Park Authority has a standard Section 106 Agreement in place and the contents will be agreed by the Landowner and/or prospective Developer in advance of Planning Consent being granted. Snowdonia National Park Authority will expect to be involved in the negotiation of the detail of the Section 106 Agreement at an early stage.

10.7 It is recognised that Section 106 Agreement documents will need to be flexible to respond to changing circumstances. For example, they will need to take into account changing mortgage lending arrangements by banks and building societies. However, they will follow a pattern and will contain common elements such as:

- A description of the affordable units and a description of who will be eligible to occupy the units. A price fixing mechanism for the affordable units which will determine initial sale price and subsequent sales. This will normally involve a discounted value from the open market value of the property.
- Protection mechanism for future re-sales
- A description of the future re-sales cascade procedure
- A description of who can buy or rent the affordable units
- The timing and conditions for the transfer of the land or affordable housing to a RSL (or other bona fide affordable housing provider)
- The arrangements regarding the future affordability, management and ownership of the affordable dwellings.
- A Mortgagee in Possession clause

Further information regarding the use of Planning Obligations is contained in the Authority's Supplementary Planning Guidance on Planning Obligations (5)

Mortgagee in Possession Clause

10.8 The Authority's Standard Section 106 Agreement contains a mortgagee in possession clause to allow a mortgage lender who has repossessed a property to operate free of restrictions which are placed upon individual properties. Snowdonia National Park Authority allows this clause to be activated immediately, recognising that repossessions are rare events. The Authority hopes that the inclusion of the mortgagee in possession clause which is considered to be a very favourable arrangement for the lender will remove any barriers to deliver affordable housing in our rural communities. **Appendix 8 contains a template letter prepared by the Authority for applicants to share with mortgage lenders to highlight the inclusion of the mortgagee in possession clause contained within the Authority's Section 106 agreement.**

Duration of a planning consent for affordable housing

10.9 The duration of consent for all planning permissions prior to a start being made, which contain either an element or 100% affordable housing will be restricted to 3 years rather than 5 years. (This builds on Section 91 of the 1990 Town and Country Planning Act which allows for the duration of planning consent in specific circumstances to be restricted to 3 years). If there is genuine need for such a property, it is argued that the property will be built soon after it is approved.

Registration as a Local Land Charge

10.10 The Authority will arrange for the Section 106 Agreement to be registered as a Local Land Charge against all affordable dwellings developed. This will ensure that the Agreement binds successive owners of the land.

Removal of Agricultural Occupation Condition

10.11 Changes to farming and agricultural practices may result in agricultural dwellings no longer being required for their original purpose.

10.12 Where planning applications are received to lift existing agricultural occupancy conditions or where enforcement action is being taken for non-compliance with the condition, and the dwelling is a suitable size for Affordable housing to meet local needs, the authority will replace the existing agricultural occupancy condition with a rural enterprise dwelling condition. This will ensure that the dwelling is kept available to meet the housing needs of rural workers and local people in need of affordable housing. This approach is in line with national policy set out in Technical Advice Note (TAN) 6. This will require the dwelling to be occupied by a worker (and/or dependant(s) or widow/er) directly associated with a rural enterprise or if there is no such eligibility by a person meeting the affordable housing for local needs eligibility criteria in line with the condition set out in national guidance.

10.13 Where planning applications are received to lift existing agricultural occupancy conditions and the dwelling is of a size which makes it unviable as an Affordable Housing for local needs the Authority will resist the removal of the occupancy condition imposed on the dwelling that would result in the dwelling being available to the open market, unless a detailed assessment clearly shows that the condition has legitimately outlived its usefulness and that no long term need exists for the accommodation. The applicant must submit information to show that the property has been actively marketed by a minimum of two local estate agents for sale or rent at an appropriately discounted price or rent (30% below open market value) for a continuous period of 12 months during the previous two years and that no demand exists for occupation by an eligible person. If this is clearly demonstrated, the condition can be removed subject to a Section 106 legal agreement for payment of a commuted sum of 30% of the open market value towards Affordable Housing for local needs.

Removal of holiday accommodation condition

10.14 In the case of holiday accommodation occupancy restriction, the Authority will resist the removal of any occupancy condition imposed unless an assessment clearly demonstrates that the condition has legitimately outlived its usefulness that no long term need exists for that purpose in the locality and where the holiday accommodation is deemed suitable for permanent occupancy. If an assessment clearly demonstrates that a controlled holiday accommodation occupancy condition is no longer required, the condition will be replaced with an affordable housing for local needs restriction.

10.15 If the property is of a size which makes it unviable as an Affordable Housing and if it can be clearly demonstrated that no long term need exists in the locality the condition can be removed subject to a Section 106 legal agreement for payment of a commuted sum towards affordable housing based on the formula below:

Open Market value – Affordable Value for the area (see appendix 6).

- e.g. Open Market value of property £200,000
- Affordable Value of the area: £138,395
- £200,000 - £138,395 = £61,605 commuted sum

Removal of Local Housing Restriction

10.16 Where planning applications are received to lift local housing restrictions through Section 106 Agreement, the Authority will assess whether the restriction continues to serve a useful purpose. The Authority may consider either replacing the existing local occupancy restriction with a revised affordable housing Section 106 agreement with a % discount (based on the difference between the Open Market value and the affordable value in the area as highlighted in Appendix 6) or consider the option of a variation to the original Section 106 agreement subject to the payment of a commuted sum towards the future provision of affordable housing. The commuted sum sought by the Authority will be the difference between the open market value and the affordable value for the area. The open market value of the property shall be provided by the applicant from two appropriately qualified chartered surveyors in line with red book valuation and agreed with the Local Planning Authority. In cases where dispute remain over the open market valuation, the services of the District Valuer Service will be sought to resolve such disputes with the costs to be borne by the applicant.

10.17 Where there is a substantial difference in value between the open market value and the affordable value, the Authority will consider accepting a lower commuted sum. The sum will be based on the latest Welsh Government Acceptable Cost Guidance levels for a four person, two bedroom house for the area. The financial contribution is calculated on the basis of 58% of this figure. The web link to the current Welsh Government Acceptable Cost Guidance can be found in Appendix 9.

10.18 If a dwelling is subject to a Section 52 agreement of the Town & Country Planning Act 1971, i.e. signed prior to 25th October 1991, the agreement can only be modified or discharged either by the agreement of all the parties or by an order of the Upper Tribunal (Lands Chamber) under section 84 of the Law of Property Act 1925.

Appendix 1: Glossary

(Note: These are not precise definitions but are provided to give the reader a simple introduction to some of the technical terms used in the document).

Acceptable Cost Guidance levels: These are provided by the Welsh Government as guidance on the likely acceptability of housing scheme cost for Social Housing Grant purposes. It is expected by WAG that the majority of schemes are capable of being produced at or below ACG. ACG levels include both development and acquisitions costs.

Affordable Housing: Housing available to people who cannot afford to rent or buy houses generally on the open market.

Commuted Sum (or payment in lieu): The term used for the financial contribution received by the Local Planning Authority from applicants which is then used to help fund affordable housing elsewhere in the National Park.

Development Quality Requirements: Set out the minimum quality requirements for new and rehabilitated housing developments funded from the Welsh Government's Social Housing Grant.

Housing Association: An organisation that provides affordable housing either through rent or low cost home ownership.

Housing demand: The quantity and type/quality of housing which households wish to buy or rent and are able to afford. It takes account of both preferences and ability to pay.

Housing Development Boundary: A line drawn around a town or village which distinguishes the countryside from built up areas and within which further housing, is likely to be supported in principle by the national park.

Housing need: Refers to households lacking their own housing or living in housing which is judged to be inadequate or unsuitable, who are unlikely to be able to meet their needs in the housing market without some financial assistance.

Housing Needs Survey: A survey of housing need amongst a given population, often within an identified community or across a wider area such as across the entire County.

Intermediate Housing: Intermediate housing is that where prices or rents are above those of social rent but below market housing prices or rents.

Local housing market assessment: Local planning authorities' assessments of the requirement for both market housing and affordable housing in their local housing market area(s). These assessments should be carried out in accordance with the Welsh Government's 'Local Housing Market Assessment Guide', 2006

Mortgagee in possession: Means a person or body which has entered into a mortgage in respect of a Dwelling constructed on the Land and has taken action following a default by the borrower in respect of the repayment due under that mortgage and shall include any receiver appointed by such mortgagee.

Nomination Rights: In the case of developments on land in Gwynedd Council's ownership, the Council retains a right to put forward a person or persons when new developments are completed or when existing affordable housing units become available for occupancy.

Occupancy cascade: A mechanism to ensure that occupants who fulfil the occupancy criteria will always be found for affordable housing when such housing is vacated. This mechanism might set out the geographical areas and/or types of households that would be eligible for such housing.

Permitted Development Rights: The rights that property owners have to alter or extend the property, in certain circumstances, without planning consent.

Private Rental Sector Housing: Means property owned by a private, voluntary or not for profit body, where the rental levels are not subsidised but are nevertheless set at affordable levels for people in local housing need and the property will not have been acquired, or redeveloped, using any public funds.

Registered Social Landlord: A Housing Association, which is registered with the Welsh Government, and complies with standards concerning housing management, development and funding.

Rural Exception Site: An area of land that immediately adjoins the development boundary for a certain type of settlement which can only be used for providing affordable housing.

Rural Housing Enabler: A person independent of the Authority, Local Council and Housing Associations who works with local communities to identify housing need and provide guidance to communities on the development process.

Section 106 Agreement: Section 106 of the Town & Country Planning Act 1990 as amended by the 1991 Act, enables planning authorities to restrict the development or use of land in any specified way; require specified operations or activities to be carried out in, on, under or over land; require land to be used in any specified way; or require a sum or sums to be paid to the authority.

Social Housing: For the purpose of this guidance means property owned by a charitable housing trust or a Registered Social Landlord where rents are, in effect, subsidised.

Social Housing Grant: Capital grant provided by the Welsh Government to local authorities to fund Registered Social Landlords to fully or partially fund investment in social housing.

Staircasing: Staircasing refers to the practice of purchasing additional percentages of a shared ownership house. The cost of staircasing depends on the valuation of the property at the time the purchase takes place. The amount of additional shares and blocks of shares that can be purchased in a shared ownership property will vary on a case by case basis.

Supplementary Planning Guidance: Formal guidance issued by the Authority that provides further detail in support of planning policies by the Authority that provides further detail in support of planning policies.

Technical Advice Note: Technical Advice notes provide guidance issued by the Welsh Government

Windfall Site: Sites within the Housing Development Boundaries which do not currently enjoy the benefit of a planning permission but could be considered favourably for housing.

Appendix 2: Eryri Local Development Plan Policies

Strategic Policy: Housing (G)

The Eryri Local Development Plan has a plan requirement of 770 dwellings and makes provision for approximately 885 new dwellings up to 2031.

New housing within the National Park will be required to meet the need of local communities. Proposals must take appropriate account of local housing needs in terms of size, type and tenure of dwellings. The house types should reflect the results of the Local Housing Market Assessment or appropriate local needs surveys.

Residential developments should make the best use of land. The Authority will seek a density of 30 dwellings per hectare for residential developments (unless there are local circumstances such as the character of the locality that suggests a lower density may be more appropriate).

Housing allocations are listed below and are shown on the Proposals and Inset Maps.

Hierarchy	Allocations	Estimated Units
Local Service Centre	Land behind the Red Lion, Y Bala (80% open market, 20% affordable housing to meet local need). Release of 30 units up to 2021 and, if built, the remaining 25 units from 2026 to 2031	55
Local Service Centre	Land at Cysgod y Coleg, Y Bala (100% affordable housing to meet local need)	10
Local Service Centre	Land behind Wenallt, Dolgellau (100% affordable housing to meet local need)	15
Service Settlement	Former Primary School, Aberdyfi (100% affordable housing for local need)	6
Service Settlement	Land adjacent Penyrhwylfa, Harlech (67% open market 33% affordable housing for local need)	24
Service Settlement	Land adjacent Bro Prysor, Trawsfynydd (100% affordable housing for local need)	10
Secondary Settlement	Land adjacent to Pentre Uchaf, Dyffryn Ardudwy (100% affordable housing to meet local need)	10
Secondary Settlement	Land adjacent to Capel Horeb, Dyffryn Ardudwy (50% open market, 50% affordable housing to meet local need)	5
Secondary Settlement	Land adjacent to Garreg Frech, Llanfrothen (100% affordable housing to meet local need)	6
Secondary Settlement	Land adjacent to Maes y Pandy, Llanuwchllyn (100% affordable housing to meet local need)	7
Secondary Settlement	Land adjacent to Lawnt y Plas, Dinas Mawddwy (100% affordable housing for local need)	6
Secondary Settlement	Land at Former Woolen Mill, Trefriw (50% open market, 50% affordable housing to meet local need)	5
Secondary Settlement	Land adjacent to Rathbone Terrace, Dolwyddelan (100% affordable housing to meet local need)	6
Secondary Settlement	Land at Y Rhos, Llanegryn (50% open market, 50% affordable housing to meet local need)	8
Secondary Settlement	Land adjacent to Bryn Deiliog, Llanbedr (100% affordable housing for local need)	6
Secondary	Land adjacent Maesteg, Pennal (100% affordable housing for local	5

Settlement	need)	
	Total	184

Development Policy 30: Affordable Housing (30)

Development opportunities have been identified within the Plan to provide a target of 375 new affordable homes to meet local needs

On all sites the following affordable housing contributions will be sought:

- i) Within Local Service Centres 20% on sites of 5 dwellings or more dwellings
- ii) Within Service Settlements 33% on sites of 3 dwellings or more
- iii) Within Secondary Settlements 50% on sites of two dwellings or more
- iv) Within smaller settlements immediately adjacent a highlighted property as shown on the inset maps up to two new single dwellings for 100% affordable housing. Exceptionally more than two dwellings will be allowed where need is proven and the character and setting of the settlement is not impaired.
- v) On sites being developed by Housing Associations, Trusts or similar subsidised bodies 100%
- vi) On conversions anywhere, 50% or a commuted sum contribution for one dwelling. Alternatively the conversion can be a 100% affordable with local occupancy conditions

Where adjacent and related residential proposals result in combined numbers or site size areas exceeding the above thresholds, the Authority will seek affordable housing based on the affordable housing target percentages set out above.

If it can clearly be demonstrated that the above indicative affordable housing targets cannot be met due to site viability, or could be exceeded in some cases, the Authority will negotiate an appropriate affordable housing contribution on individual sites, which could include an appropriate commuted payment. This however will not apply to exception sites or sites in smaller settlements where a 100% affordable housing contribution will always be sought.

Planning permission for a new affordable dwelling will be subject to a legal agreement to ensure that it remains affordable in perpetuity for a local person in housing need as defined in paragraph 5.26 and 5.27.

New affordable housing units should be fully integrated and be as good, if not better than market housing units in terms of external design quality and materials.

The size of affordable housing units will be commensurate with the needs of the intended household.

Permitted development rights will be removed on all the affordable housing units in order to regulate the manner in which they can be extended in the future.

Development Policy 9: Conversion and change of use of rural buildings (9)

The conversion or change of use of redundant rural buildings outside any housing development boundary will be permitted for affordable housing to meet local need an employment use, short term self catering holiday accommodation as part of a rural enterprise scheme, or an open market dwelling with the payment of a commuted sum provided that the following criteria are met:

- i. The building is of permanent and substantial construction, of traditional form and character and has an architectural value worthy of preservation.
- ii. The building is capable of conversion without the need for significant rebuilding or extension which would harm its existing character.
- iii. All external works including finishes and property boundaries are sympathetic to the character of the building, local building style and materials and do not harm the character of any surrounding building group.
- iv. The proposal or any new ancillary structures do not harm the character of the landscape in which they are located.
- v. The proposal does not lead to the creation of new vehicular access or parking areas that would adversely affect the character or appearance of the building or that of the wider landscape.

Where the proposal involves a listed building or a building of traditional form or design, the proposal conforms with Development Policy 7: Listed and Traditional Buildings.

Proposals for new affordable dwellings will only be granted where the requirements of Strategic Policy G: Housing are met including the possibility of commuted sums.

An independent structural survey will be required where there is any doubt over the structural stability of the building or it is considered that the proposed works would result in major or substantial reconstruction.

Applicants must demonstrate that the proposed use would not displace an existing use which requires the construction of an alternative building to enable it to continue.

Appendix 3: Settlement Hierarchy

Tier	Settlement
Local Service Centres	Y Bala Dolgellau
Service Settlements	Aberdyfi Betws y Coed Harlech Llanberis (small proportion within the National Park) Trawsfynydd
Secondary Settlements	Abergwyngregyn Abergynolwyn Beddgelert Bontddu Brithdir Bryncrug Capel Garmon Dinas Mawddwy Dolgarrog Dolwyddelan Dwygyfylchi Dyffryn Ardudwy & Coed Ystumgwern Friog Frongoch Ganllwyd Garndolbenmaen Garreg Llanfrothen Gellilydan Llan Ffestiniog Llanbedr Llanegryn Llanelltyd Llanfachreth Llanfair Llanuwchllyn Llwyngwriil Maentwrog Nantlle Parc Penmachno Pennal Rhydymain Rowen Tal y Bont Talsarnau Trefriw Ysbyty Ifan

Smaller Settlements

Aberangell
Arthog
Betws Garmon
Capel Curig
Capelulo
Croesor
Cwm Penmachno
Cwrt
Llanbedr y Cennin
Llandanwg
Llandecwyn
Llangywer
Llanllechid
Llanymawddwy
Llyn Penmaen
Mallwyd
Nant Gwynant
Nant Peris
Nantmor
Nebo
Penmorfa
Prenteg
Rhoslefain
Rhosygwaliau
Rhyd
Rhyd ddu
Rhyd Uchaf
Ynys

Appendix 4: Affordable housing requirement by settlement

Settlement Hierarchy	Settlements	Dwelling Units									
		1	2	3	4	5	6	7	8	9	10+
Local Service Centers	Y Bala, Dolgellau					20% A.H. contributions on sites of 5 dwellings or more					
Service Settlements	Aberdyfi, Betws y Coed, Harlech, Llanberis (small proportion within the National Park) Trawsfynydd			33% A.H. contribution on sites of 3 dwellings or more							
Secondary Settlements	Abergwyngregyn, Abergynolwyn, Beddgelert, Bontddu Brithdir, Brynchrug, Capel Garmon, Dinas Mawddwy, Dolgarrog, Dolwyddelan, Dwygyfylchi, Dyffryn Ardudwy & Coed Ystumgwern, Friog, Frongoch, Ganllwyd, Garndolbenmaen, Garreg Llanfrothen, Gellilydan, Llan Ffestiniog, Llanbedr, Llanegryn, Llanelltyd, Llanfachreth, Llanfair, Llanuwchllyn, Llwyngwril,		50% A.H. contribution on sites of 2 dwellings or more								

	Maentwrog, Nantlle, Parc, Penmachno, Pennal, Rhydymain, Rowen, Tal y Bont, Talsarnau, Trefriw, Ysbyty Ifan		
Smaller Settlements	Aberangell, Arthog, Betws Garmon, Capel Curig, Capelulo, Croesor, Cwm Penmachno, Cwrt, Llanbedr y Cennin, Llandanwg, Llandecwyn, Llangywer, Llanllechid, Llanymawddwy, Llyn Penmaen, Mallwyd, Nant Gwynant, Nant Peris, Nantmor, Nebo, Penmorfa, Prenteg, Rhoslefain, Rhosygwaliau, Rhyd, Rhyd ddu, Rhyd Uchaf, Taicynhaeaf, Ynys	100% AHLN only	
Sites developed by Housing Associations		100% AHLN only	
Conversions		50% or a commuted sum contribution for one dwelling. Alternatively the conversion can be a 100% affordable with local occupancy conditions.	

Appendix 5: Maximum size of exception site development

Tier	Settlement	Estimated number of households in each settlement	Maximum size of exception site development (is commensurate with size of settlement)
Local Service Centres	Y Bala Dolgellau	900 – 1400	10
Service Settlements and Secondary Settlements Level 1	Aberdyfi Betws y Coed Harlech Llanberis *(small proportion within the National Park) Trawsfynydd Abergwyngregyn Bryncrug Dyffryn Ardudwy & Coed Ystumgwern Garndolbenmaen* Llan Ffestiniog Llwyngwrl Tal y Bont Trefriw Abergynolwyn Beddgelert Dolgarrog* Dolwyddelan Dinas Mawddwy Dwygyfylchi* Gellilydan Llanbedr Llanfair Llanuwchllyn Penmachno Pennal Talsarnau	100 – 725	6
Secondary Settlements Level 2	Bontddu Brithdir Capel Garmon Friog Frongoch Ganllwyd Garreg Llanfrothen Llanegryn Llanelltyd Llanfachreth Maentwrog Nantlle Parc Rhydymain Rowen Ysbyty Ifan	Up to 100	4

* Settlement that straddle the National Park boundary - exception site development to be provided outside the National Par

Appendix 6: Affordable housing for sale prices

Maximum affordable housing for sale prices (based on 2023 CACI Paycheck data) are:

	Median Income 2023	Mortgage 3.5 times income	20% Deposit	Total required for 1-2 bed dwelling	Mortgage 4 times income	20% deposit	Total required for 3-4 bed dwelling
Bala	£27,497	£96,240	£19,464	£115,487	£109,988	£21,998	£131,985
Bangor	£32,304	£113,064	£22,613	£135,677	£129,216	£25,843	£155,059
Blaenau Ffestiniog & Porthmadog	£27,918	£97,713	£19,543	£117,256	£111,672	£22,334	£134,006
Caernarfon	£31,551	£110,429	£22,085	£132,514	£126,204	£25,241	£151,445
Dolgellau & Arduwy	£29,366	£102,781	£20,556	£123,337	£117,464	£23,493	£140,957
Dyffryn Conwy	£33,069	£115,742	£23,148	£138,890	£132,276	£26,455	£158,731
Llandudno & Conwy	£33,826	£118,391	£23,678	£142,069	£135,304	£27,061	£162,365
Machynlleth & Aberdyfi	£28,419	£99,467	£19,893	£119,360	£113,676	£22,735	£136,411

	Median Income 2023	x2	20%	1 bed apartment	x2.5	20% deposit	2 bed apartment
Bala	£27,497	£54,994	£10,999	£65,993	£68,743	£13,748	£82,491
Bangor	£32,304	£64,608	£12,922	£77,530	£80,760	£16,152	£96,912
Blaenau Ffestiniog & Porthmadog	£27,918	£55,836	£11,167	£67,003	£69,795	£13,959	£83,754
Caernarfon	£31,551	£63,102	£12,620	£75,722	£78,878	£15,775	£94,653
Dolgellau & Arduwy	£29,366	£58,732	£11,746	£70,478	£73,415	£14,683	£88,098
Dyffryn Conwy	£33,069	£66,138	£13,228	£79,366	£82,673	£16,534	£99,207
Llandudno & Conwy	£33,826	£67,652	£13,530	£81,182	£84,565	£16,913	£101,478
Machynlleth & Aberdyfi	£28,419	£56,838	£11,368	£68,206	£71,048	£14,209	£85,257

Formula used:

1 bed and 2 bed affordable price = Eryri Local Development Plan Zone of Influence area median income x 3.5 income multiplier + 20% deposit

3 bed and 4 bed affordable price = Eryri Local Development Plan Zone of Influence area median income x 4 income multiplier + 20% deposit

1 bed apartment affordable price = Eryri Local Development Plan Zone of Influence area median income x 2 income multiplier + 20% deposit

2 bed apartment affordable price = Eryri Local Development Plan Zone of Influence area median income x 2.5 income multiplier + 20% deposit

Important note:

The formula price for first sale will be increased annually in line with changes in the median household income in each community area, which is updated annually. Snowdonia National Park Authority will publish the updated prices annually. However once the % discount is fixed in relation to a specific property, future re-sales will be subject to the fixed % discount against the prevailing Open Market Value.

e.g. initial price

Open market price £170,000

Affordable price 3 bed £138,395/ £170,000 x 100 = 81%

% discount = 19%

Re-sale

Open market price £180,000

Re-sale price = £180,000 - 19% = £145,800

Appendix 7: Contacts

Snowdonia National Park Authority: Planning Section

Snowdonia National Park Office
Penrhyndeudraeth
Gwynedd
LL48 6LF
Telephone: 01766 770274
e-mail: cynllunio@eryri.llyw.cymru
www.eryri.llyw.cymru

Local Housing Authorities

Gwynedd Local Housing Authority
Housing Service
Gwynedd Council
Penrallt
Caernarfon
Gwynedd
LL55 1BN
01766 771000

Conwy Local Housing Authority
Coed Pella
Ffordd Conwy
Colwyn Bay
LL29 7AZ
housingstrategy@conwy.gov.uk
01492 574225

Registered Social Landlords

Grŵp Cynefin
(Penygroes Office)
Ty Silyn
Y Sgwâr
Penygroes
Gwynedd
LL54 6LY
post@grwpcynefin.org
0300 111 2122

Grŵp Cynefin (Denbigh Office)
54 Stryd y Dyffryn
Denbigh
Denbighshire
LL16 3BW
post@grwpcynefin.org
0300 111 2122

Cartrefi Conwy

Morfa Gele
North Wales Business Park,
Cae Eithin,
Abergele,
LL22 8LJ
enquiries@cartreficonwy.org
03001240040

Adra,
Tŷ Coch
Llys y Dderwen
Parc Menai
Bangor
LL57 4BL
enquiries@adra.co.uk
03001238084

Rural Housing Enabler

North West Wales Rural Housing Enabler
Uned 8/9
Llys y Fedwen
Parc Menai – Bangor
Gwynedd
LL57 4BL
01286 889292
HTG@Grwpcynefin.org

Co-operative Housing

Tai Cydweithredol / Co-operative Housing
Canolfan Cydweithredol Cymru / Wales Co-operative Centre
0300 111 5050
info@wales.coop

Tai Teg

Tai Teg
PO Box 167
Caernarfon
LL55 9BP
0845 601 5605
info@taiteg.org.uk

www.taiteg.org.uk

Appendix 8: Snowdonia National Park Authority's Section 106 Agreement – Mortgagee in possession Clause – Template letter to mortgage lenders

Dear mortgage lender,

Snowdonia National Park Authority's Section 106 agreement has taken into account the recommendations contained in a guidance note prepared by the Welsh Local Government Association (WLGA), Welsh Government, the Council of Mortgage Lenders (CML) and the Chartered Institute of Housing (CIH) and Community Housing Cymru (CHC) on securing mortgage access for Affordable Housing.

The Authority's Standard Section 106 Agreement contains a mortgagee in possession clause to allow a mortgage lender who has repossessed a property to operate free of restrictions which are placed upon individual properties.

Snowdonia National Park Authority allows this clause to be activated immediately, recognising that repossessions are rare events. The Authority hopes that the inclusion of the mortgagee in possession clause which is considered to be a very favourable arrangement for the lender will remove any barriers to deliver affordable housing in our rural communities.

The wording of the mortgagee in possession clause contained in the Authority's Section 106 agreement is included below:

Provisions regarding the sale of an Affordable Dwelling by a Mortgagee in possession

If the Owner defaults on his mortgage and the Mortgagee takes possession or assumes control of the property (directly or through an agent) that Mortgagee must inform the Authority in writing within 90 days of taking possession that it has taken possession or assumed control of the Affordable Dwelling and may thereafter sell the Affordable Dwelling free from any restrictions. The provisions of this Deed shall thereafter be extinguished and the Authority shall within a period of 28 days of receiving notification that the Mortgagee is in possession apply for the removal of the local land charge.

Appendix 9: Useful documents

- Eryri Local Development Plan 2016 – 2031
- Snowdonia National Park Authority Sustainable Design Supplementary Planning Guidance
- Snowdonia National Park Authority Planning Obligations Supplementary Planning Guidance
- Gwynedd Council Local Housing Strategy 2013-2017
- Conwy County Borough Council Local Housing Strategy 2018-2023
- Conwy Local Housing Market Assessment 2017-2022
- Gwynedd Local Housing Market Assessment 2013
- Planning Policy Wales
- Welsh Government Technical Advice Note 2 (2006)
- Welsh Government Affordable Housing Toolkit (2006)
- Welsh Government Acceptable Cost Guidance:
<https://gov.wales/sites/default/files/publications/2019-04/costs-included-in-social-housing-grant-revisions.pdf>