



Frequently Asked Questions

1. What does “local” mean?

A local person is one who is connected to the village or parish by birth, current or previous residence, permanent employment or by the current residence of close family.

The specific criteria for establishing who has the local connection are always a schedule to the S106 Planning Agreement. If there is a vacant house and no one with those connections to the village itself is in need of housing, then an applicant who has similar connections with a neighbouring village has the next priority. After that, applicants can be sought from the District as a whole. When that house becomes vacant again priority reverts to people with a close connection to the village.

2. Do tenants have the right to buy?

There is no longer a right to buy on new houses owned by housing associations. There is a modified form of the right to buy, called “the right to acquire” but this does not apply to houses built in rural settlements with a population of fewer than 3,000 people.

3. How do you make sure that the houses go to only local people – and that people from outside the area are not given priority?

On exception site schemes, the S106 planning agreement, signed as a condition of the planning permission, always stipulates that local people must have priority in allocating the houses. It is important that local people are aware of new schemes and subsequent vacancies, so information must be broadcast as widely as possible through the Parish Council, local businesses, village clubs, notice boards and newsletters etc.

As described above (Q. 1), under the terms of the S106 agreement, it may occasionally be necessary to look outside the village for candidates from neighbouring parishes.

Where public funds are used, District Councils have the right to nominate some occupiers. Councils exercise this right to varying degrees, but even the most demanding local authorities recognize that nominees must meet the local connection criteria.

As a Parish Council, we advise that you make sure at the outset that you understand and agree the allocation policies and procedures of the housing association with whom you are working. District Councils, Parish Councils and housing associations must all work together to ensure the intentions of the scheme are respected.

4. Who decides who gets a house?

The two documents which govern the allocation process are the s106 Planning Agreement and the housing association’s allocation criteria and procedures. Although the Parish Council should be involved in setting the criteria for the allocation of the houses, the actual selection of occupiers is not handled by the Parish Council as this would be an intrusion into the private lives of people in the village. Ultimately the housing association decides.

The Parish Council should always be asked to confirm the local connections of selected occupiers. They also play an important role in advertising the availability of the houses to as many local people as possible.

5. How is a scheme funded?

Sometimes it is possible to provide grant-free shared ownership (*See Fact Sheet: What is Shared Ownership?*). In most cases, public funding is required to make shared ownership and rented housing affordable. It is available in the form of Social Housing Grant, allocated through a competitive process by the Housing Corporation to housing associations.

Social Housing Grant covers a percentage of capital costs. The balance of the cost must be borrowed from banks and building societies and repaid out of rental income. There are strict limits on capital costs. Because small sites in villages are often difficult and more expensive to develop than larger schemes on town sites, it is essential that the land price for a scheme is kept as low as possible in order to qualify for grant within the cost limits. That is why exception sites are sought. (*See Fact Sheet: What is an Exception Site?*).

6. Should the Parish Council start looking for a site?

Not until you have proven a housing need. Also potential vendors of land may be put off by an approach at too early a stage, when the full facts are not properly explained.

Local sensibilities and relationships can often affect the reaction of landowners and we find that an approach by an outsider (e.g. a RHT Fieldworker or a Rural Housing Enabler), armed with all the facts about housing need, meets with a better reception.

7. Why do we need a housing need survey?

- A carefully designed survey will help you to gauge housing need in your village.
- Usually district councils will require this evidence of need before granting planning consent.
- The housing association needs this evidence in order to ensure that its scarce resources and any available grant funding are being well targeted.

It is also important that the Parish Council feels confident that it has the support of the majority of the village. Some of the questions in the survey seek opinions about possible development to enable you to judge the extent of support or opposition.

8. What is the local authority's role?

Local authorities are enablers, rather than developers, of affordable housing. They have responsibility for ensuring that priority housing needs are actually met.

The co-operation and assistance of the local District Council are essential. Many districts have policies which recognise the housing difficulties in their villages as being distinct from those in towns. Any proposed scheme must fit in with the District Council's overall housing strategy. District Councils have partnerships with selected housing associations to ensure housing needs are met. They are usually also the local planning authorities to whom application is made for planning permission. (*)

Any developer will need to work closely with the Housing and Planning departments to ensure a smooth process and a successful outcome.

* National Parks are Planning Authorities. NP policies must also be checked to ensure a scheme conforms.

9. Do we need a housing association?

Housing associations can obtain the necessary funding, so that is the main reason for working with one. Our advice is that the process is long and difficult enough without giving yourselves the added frustration of trying to go it alone.

The process leading up to the actual building can be a minefield. Assessing need, identifying a site, persuading a landowner to sell, negotiating planning permission, negotiating the build contract, obtaining finance and deciding on the appropriate form of tenure are just some of the activities which require a huge amount of time and experience. The legislation and funding mechanisms are complex. An organisation like the Rural Housing Trust or a housing association is best placed to provide the support you need.

10. Are the houses environmentally friendly?

The Government requires new homes to comply with the Code for Sustainable Homes. The Code is an environmental assessment of performance levels across the areas of energy efficiency/CO₂, water efficiency, surface water management, site waste management, household waste management and use of materials.

11. How long will it take?

Each scheme is different. From first discussion of the subject to the time the residents move in takes between three and six years. The slowest parts of the process are often obtaining capital grant and obtaining planning permission. The latter is because of the lengthy consultations necessary and – occasionally – because of the time it takes to overcome a few objectors.

Don't be too upset by objectors and do try to understand why they do not want a development on land which, according to the local plan, was not destined for development within the life of that plan. Make sure the process and the debate about your scheme is open and consultative and do not expect to win over everyone.

Patience and determination are required!