

## APPENDIX 5 – AFFORDABLE HOUSING: OCCUPANCY CRITERIA

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### AFFORDABLE HOUSING: OCCUPANCY CRITERIA

Any application which requires an element of affordable housing to accord with policy H13 but which does not propose to secure that element through the involvement of a Registered Social Landlord (RSL) will not be granted permission, unless a planning obligation is entered into, requiring the following:

1. Each unit of affordable housing shall be no more than two bedspaces larger than the number of people in the household on each household first occupying it. For the purpose of this provision, persons under one year old are not to be taken into account.

Each bedroom in a unit is considered to equate to two bedspaces, unless the bedroom is less than 2m x 3m gross (including any fitted furniture or storage space), in which case it contains only one bedspace.

All the rooms in a dwelling are bedrooms EXCEPT:

- (a) One room as a kitchen or other food preparation area;
  - (b) Those which contain a WC, sink, bath or shower (unless such facilities are specifically located in a room normally used as sleeping accommodation and designed and provided to meet the special needs of an elderly or disabled occupant);
  - (c) Rooms the sole purpose of which is to provide communication between other rooms, i.e., corridors, vestibules and stairwells;
  - (d) Any room with a floor area smaller than 4.65 m<sup>2</sup>;
  - (e) Any room which has a ceiling height, at any point, of less than 2m, unless the amount of floor space under that part of the ceiling (if any) which is at least 2m high is at least 4.65m<sup>2</sup>; and
  - (f) One room, on the ground floor if more than one storey, of the unit which is used as a living room, unless the unit is studio accommodation where the living room doubles as a bedroom and all other rooms in the unit would otherwise be excluded from the definition of a 'bedroom' by (a) to (e) above.
2. No person shall occupy any affordable housing unit unless on first occupying the unit, that person is part of a household which is in housing need as defined by Wycombe District Council, in section 3.39 of this Local Plan, and whose financial circumstances are as follows:

- (a) **Freehold long lease or shared ownership:** The purchasers' gross annual income on first occupying the unit must be no more than 20% of the figure that appears in the cost group in which Wycombe District has designated for a unit that size in the Total Cost Indicators Base table, as published by the Housing Corporation for the year in which that household first takes up occupation of the unit. 'Long lease' shall mean a lease for at least 50 years, at a rent no more than a nominal ground rent.

'Gross annual income' means the pay or other remuneration, pension or other benefits received by all the persons to occupy the unit, aggregated together before deductions of Income Tax, National Insurance and (if applicable) Pension Contributions, including any guaranteed bonuses or overtime but excluding any allowances in lieu of expenses.

- (b) **Rented:** If the unit is to be occupied under a weekly or other periodic tenancy, the rent at the commencement of the tenancy must be no more than 35% of the net disposable income of the tenant.

'Net disposable income' means the aggregate of the pay or other remuneration including regular overtime or bonuses, pension or other benefits received by the legal tenant and all persons who will occupy the unit with him/her after deduction of Income Tax, National Insurance and (if applicable) Pension Contributions.

Normally, these figures would be calculated for each individual by looking at the actual sums so earned/paid over the twelve months immediately preceding occupation of the affordable unit, but for any individual who has not been in regular employment or otherwise in receipt of a regular income it may be appropriate to calculate this by multiplying the last weekly payment by fifty-two, or monthly payment by twelve.

The earnings of all persons over the age of seventeen who will reside in the unit will be taken into account when making this calculation, providing such persons are not in full-time education.

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3. In addition, on first occupation, at least one member of the household must have a local connection with the District, i.e., must be:
  - (a) Resident in the District immediately prior to taking up occupation; or
  - (b) Employed or have a business located within the District, or have an offer of such employment which can only realistically be taken up if that person finds accommodation in the District.

These restrictions will apply not only to the first occupiers, but must be satisfied every time new occupiers take up occupation. They do not prevent the continued occupation of any unit by a family whose circumstances improve during their occupation, so that their gross annual income rises above the limit set out above; but would prevent disposal by such a household to any household that did not then meet the criteria.

The District Council would normally expect there to be a management company set up for the purpose of controlling occupancy, and ideally all units should be disposed of under leases or rented out rather than sold freehold. The District Council will take action to protect affordable housing, should it become apparent that units are being occupied in breach of the restrictions. Schemes not able to demonstrate adequate management may be refused consent, on the basis that there is inadequate machinery to ensure compliance.