

**Part 2**  
**Affordable Housing**

The following definitions shall apply in this Schedule 1:

1. **DEFINITIONS**

- "Adjoining Parish"** means Ashreigney, Dolton and Dowland;
- "Advertising"** means the advertising for sale or letting of any interest in the relevant Shared Ownership Dwelling or Social Rented Dwelling in accordance with a scheme to be approved by the Council which scheme shall include (unless otherwise agreed with the Council) an advertisement on the website of Help to Buy South or any other similar organisation and such other advertising such as through local estate agents and social media channels as shall be agreed in writing by the Council and "Advertised" shall be construed accordingly;
- "Affordable Dwellings"** means 21 of the Dwellings to be provided on the Site as Affordable Housing and reference to "**Affordable Dwelling**" shall mean any one of them;
- "Affordable Housing"** means Social Rented Dwellings and Shared Ownership Housing provided to eligible households whose needs are not met by the market, where eligibility is determined with regard to local incomes and local house prices and which remains at an affordable price for future eligible households and as defined in Annex 2 of the NPPF;
- "Affordable Housing Scheme"** means a scheme for the provision of the Affordable Housing to be submitted by the Owner to the Council which shall include (unless otherwise agreed with the Council):
- a. Arrangements for the provision of the Affordable Dwellings;
  - b. Location of the Affordable Dwellings to be shown on a plan with reference to the appropriate plot numbers;
  - c. Details of the unit size of the Affordable Dwellings; and
  - d. Arrangements for the transfer of the Affordable Dwellings to a Registered Provider
- and such other details as reasonably required by the Council;

<b>"County"</b>	means the County of Devon;
<b>"Devon Home Choice"</b>	means the method or body agreed by the Council in accordance with Department for Communities and Local Government guidance: - "Allocation of Accommodation: Choice Based Letting" (August 2008) for the allocation of Affordable Housing in the District;
<b>"District"</b>	means the administrative area of Torridge District Council;
<b>"Help to Buy South"</b>	means the method or body agreed by the Council for the nomination of Shared Ownership Housing available to buy in the District or such successor body or organisation responsible for the nomination of Shared Ownership Housing available to buy in the District;
<b>"Homes England"</b>	means the agency so named and established under the Housing and Regeneration Act 2008 for the purpose of procuring and regulating the provision of Affordable Housing and any body that replaces it for the purpose of those functions and <b>"HE"</b> shall be construed accordingly;
<b>"Housing Need"</b>	means a person who does not have available to them and could not afford (personally or jointly with other members of his household) to acquire or rent a home suitable for their needs and the needs of their household at the normal market values prevailing in the District;
<b>"Local Connection"</b>	means a local connection calculated from the Start Date (defined in Part VII of the Housing Act 1996) with the Parish (or the Qualifying Area as appropriate) as follows: <ul style="list-style-type: none"> <li>• being permanently resident therein for six of the last twelve months, or three out of the last five years; or</li> <li>• in permanent full-time or part-time (minimum 16 hour contract per week) work therein for 6 months. This may include the need to move to the Parish in connection with permanent employment (minimum 16 hour contract per week) where commuting from the person's existing home is accepted by the Council as unreasonable. In all cases there should be no break in the period of employment for more than 3 months over the relevant period; or</li> <li>• have family connections in the Parish. Reflecting the Local Government Association guidelines this is normally defined as the applicant, or a member of their household has parents, adult</li> </ul>

children or brothers or sisters who have been resident in the District for at least the last 5 years; or

- having immediate relatives (i.e parents, non-dependent children, brother or sister) who have lived therein for at least 5 years and with whom there has been shown to have been frequent contact, commitment or dependency; or
- other categories or relationships may be considered by the Council including foster relationships where clear evidence of frequent contact, commitment dependency is shown
- other special circumstances which create a link to the Parish (not including residence in a hospital armed forces accommodation holiday let or person or rehabilitation facility) and having been first verified in writing by the Council as having such special circumstances and this may include the need to reside medical support or (with the approval of the Council) some other form of special support;

**"Mortgagee"**

means a Registered Provider's mortgagee or chargee of the Affordable Dwellings (or any receiver (including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator);

**"Open Market Dwellings"**

means those Dwellings which are not being provided as Affordable Dwellings;

**"Parish"**

means the Parish of Winkleigh;

**"Qualifying Area"**

means the Parish, Adjoining Parish or District, as appropriate;

**"Registered Provider"  
(RP)**

means a body which is registered with HE as a provider of social housing under Part 2 of the Housing and Regeneration Act 2008 or such other class or body as may be constituted under any legislation replacing that provision and "RP" shall be construed accordingly;

**"Shared Ownership  
Dwelling"**

means an Affordable Dwelling sold on the basis of a Shared Ownership Lease and the rent under such lease may be increased by no more than the Retail Prices Index (All Items) plus 0.5% or other such amount as