

**2026**

**Affordable Housing  
Supplementary Planning  
Document**

# Affordable Housing Supplementary Planning Document 2026

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# 1. Purpose of this Supplementary Planning Document

- 1.1 Nuneaton and Bedworth Borough Council recognises the importance of providing opportunities for people to live in a decent and affordable home. The Council's Corporate Plan (2025-2029)<sup>1</sup> commits the Council to improving housing standards, promoting sustainable development and ensuring that the communities of the Borough, are healthy, safe and thriving. One aim of the Plan is to facilitate warm, safe, sustainable and affordable housing.
- 1.2 The Nuneaton and Bedworth Borough Housing Strategy (2024-2034)<sup>2</sup> gives an overview of housing need in the Borough and identifies a persistent lack of affordable housing, with demand increasing since the publication of the previous Housing Strategy (2017-2022).
- 1.3 Since the start of the plan period, 1,973 affordable homes have been delivered and there has been a general increasing trend in delivery of affordable houses over the last five years. This is attributed to the larger housing sites continuing to deliver significant completions and the previous Borough Plan (2011-2031) requirement that 25% of the dwellings, to be delivered on development sites of 15 or more dwellings, must be affordable (this has been continued within the Borough Plan Review (2021-2039)).
- 1.4 The Nuneaton and Bedworth Borough Homelessness and Rough Sleeper Strategy (2024 – 2029)<sup>3</sup> identifies the role affordable housing can play in reducing homelessness in the Borough. In the last five years over 877 affordable homes have been built in the Borough. These homes help to provide housing for those in greatest need in the Borough, some of which may be homeless and in temporary accommodation.
- 1.5 In Nuneaton and Bedworth Borough, as outlined in the sub-regional Housing and Economic Development Needs Assessment and the Towards a Housing Requirement report, the main type of rented accommodation sought by those in housing need, on the Borough's

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<sup>1</sup> Nuneaton and Bedworth Borough Council (2025). *Corporate Plan (2025-2029)* [corporate-plan-april-2025-march-2029](#)

<sup>2</sup> Nuneaton and Bedworth Borough Council (2024). *Housing Strategy (2024-2034)* <https://www.nuneatonandbedworth.gov.uk/downloads/file/1589/housing-strategy-2024>

<sup>3</sup> Nuneaton and Bedworth Borough Council, (2024). *Homelessness and Rough Sleeper Strategy (2024-2029)* [homelessness-and-rough-sleeper-strategy-2024---2029](#)

Housing Register, is for social rent. Therefore, the Council are seeking to maximise its availability in the Borough.

- 1.6 The provision of affordable homes is complex and requires the input of a number of different agencies. The planning system can help to bring together different parties and offer some solutions to affordable housing availability.
- 1.7 Local authorities provide affordable homes by requiring developers to deliver them as part of new housing developments. Policy H2 – Affordable Housing Provision, in the Borough Plan Review 2021-2039, sets out the Council’s planning policy approach in the Borough.
- 1.8 This Supplementary Planning Document (SPD) provides further details on Policy H2 and is a material consideration in determining planning decisions. It is advised that the contents are considered early in the development process, including in the acquisition of land for development.
- 1.9 The requirement to provide appropriate affordable housing should be considered at the outset of the development process, along with other requirements of the Borough Plan Review. Developers should not expect the requirement to provide affordable housing to be waived at any stage of the development process.
- 1.10 It is recommended that reference is made to the emerging Standing Advice Note, on its publication, which provides advice to applicants and perspective applicants on requirements for, and good practice in connection with, the provision of housing and related matters; assists local communities and members of the public in understanding the role and requirements for affordable housing as part of development schemes; and signposts all parties to the availability of additional information and resources.

## 2. Policy Context

### National Planning Policy Framework (December 2025)

- 2.1 Paragraphs 61-66 of the National Planning Policy Framework (NPPF)<sup>4</sup> set out national government policy towards affordable housing.
- 2.2 Annex 2 (Glossary) of the NPPF<sup>5</sup> provides the following definition for affordable housing:
- 2.3 **Affordable housing:** housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions<sup>6</sup>:
- 2.4 a) **Social Rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent; (b) the landlord is a registered provider; and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.
- 2.5 b) **Other affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

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<sup>4</sup> Ministry of Housing, Communities and Local Government (2024). *National Planning Policy Framework* - [National Planning Policy Framework](#)

<sup>5</sup> Ministry of Housing, Communities and Local Government (2024). *National Planning Policy Framework* - [National Planning Policy Framework](#)

<sup>6</sup> This definition should be read in conjunction with relevant policy contained in the Affordable Homes Update Written Ministerial Statement published on 24 May 2021. However, the 25% minimum delivery requirement for First Homes no longer applies.

- 2.6 c) **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
- 2.7 d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

### **Borough Plan Review (2021-2039)**

- 2.8 Policy H2 – Affordable Housing Provision, sets out the local interpretation of the NPPF. The policy is reproduced below and should be read in context with the Borough Plan Review<sup>7</sup>, related SPDs and any further updates to the NPPF or associated guidance.

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<sup>7</sup> Nuneaton and Bedworth Borough Council (2025). *Borough Plan Review (2021-2039)*  
[Borough Plan Review \(2021-2039\).pdf](#)



## Policy H2 – Affordable Housing Provision

On development sites which provide 15 or more homes, the Council will seek at least 25% of those homes to be affordable. For residential development sites that consist of between, 11 to 14 dwellings, a contribution of two affordable housing units will be required, irrespective of any demolitions.

Of the affordable housing dwellings provided, the exact tenure, size and mix should be identified through discussions with the local authority and informed by the Council's latest published housing need evidence.

The Council will require developments to incorporate and suitably integrate affordable and market housing to a high design standard.

All affordable housing must meet the requirement for 95% of new dwellings to be M4(2) compliant and 5% to meet the M4(3) Building Regulations standards. All affordable units must include private outdoor amenity space for each property.

All affordable housing need should be met on-site, unless it can be robustly justified that on-site provision is neither feasible nor viable. Where developers consider applying the affordable housing policy is unviable, or where it is considered that a different mix would better suit local needs and site-specific circumstances, evidence and a Viability Statement must be included with the planning application stating the reasons.

### **Exceptions**

Outside of settlement boundaries, housing development, in addition to those allocated within the Borough Plan Review, will be supported on small rural exception sites, where affordable homes can be delivered to meet the needs of local people within the local community, where there is no conflict with other Borough Plan Review policies and the following criteria are met:

- The site is adjacent to existing settlement boundaries.
- The proposed development is considered suitable by virtue of its size and scale in relation to the surrounding settlement and its services and proximity to public transport links and infrastructure.
- The initial and subsequent occupancy of affordable homes is controlled through planning conditions and legal agreements, as appropriate, to ensure that the accommodation remains available in perpetuity to local people in affordable housing need.
- The majority of the homes provided are affordable and where an element of market housing is required to enable the delivery of significant additional affordable housing, the element of market housing is the minimum amount required to enable the delivery of the proposed affordable housing.

Proposals must consider how they accord with the requirements set out in the Council's latest Affordable Housing SPD.

## 3. Affordable Housing Need in the Borough

### Amount of Affordable Housing Needed

- 3.1 Of the affordable housing dwellings provided, the exact tenure, size and mix should be identified through discussions with the local authority and informed by the Council's latest published housing need evidence.
- 3.2 In terms of local policy, the Borough Plan Review<sup>8</sup> places a requirement on new build developments to provide affordable housing as part of the overall housing offer. In preparation for the Borough Plan Review, research was conducted examining the viability of affordable housing on developments in the Borough<sup>9</sup> which concluded an affordable housing target of 25% is viable on developments of 15 dwellings or more (for developments of 11-14 dwellings, the Council will request 2 affordable units irrespective of any demolitions).
- 3.3 Any proposed 100% affordable housing scheme will be considered on its own merits and the Council would be supportive of 100% social rent development.

### Tenure Mix

- 3.4 The Council's latest published housing evidence can be found in the Nuneaton and Bedworth Housing and Economic Development Needs Assessment (NBHEDNA)<sup>10</sup> (2022) and the Coventry and Warwickshire Housing and Economic Development Needs Assessment (CWHEDNA) (2022)<sup>11</sup>. The NBHEDNA sets out evidence of the need for rented affordable and affordable home ownership which equates to a tenure mix of 70% affordable rent and 30% affordable home ownership. The NBHEDNA further argues that there could be additional affordable

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<sup>8</sup> Nuneaton and Bedworth Borough Council (2025). *Borough Plan Review (2021-2039)* [Borough Plan Review \(2021-2039\).pdf](#)

<sup>9</sup> Nuneaton & Bedworth Borough Council (2023). *Viability Assessment* [cd10-viability-assessment-2023-](#)

<sup>10</sup> Icení (2022). *Nuneaton & Bedworth Housing and Economic Development Needs Assessment (NBHEDNA)* <https://www.nuneatonandbedworth.gov.uk/downloads/file/646/eb6-nuneaton-and-bedworth-housing-and-economic-development-needs-assessment-hedna-2022->

<sup>11</sup> Icení (2022). *Coventry & Warwickshire Housing and Economic Development Needs Assessment (CWHEDNA)* [eb7-1-coventry-and-warwickshire-housing-and-economic-development-needs-assessment-hedna-2022-](#)

home ownership supply from resales of market homes which reduces the need for affordable home ownership.

- 3.5 The CWHEDNA provides further analysis regarding the provision of affordable home ownership. It concludes the resale of market homes means there is a lack of need for affordable home ownership in the Borough and a greater need for social/affordable rental properties.
- 3.6 The Borough Plan was found sound based on viability testing that demonstrated that a tenure mix of 70% affordable rent is generally viable and deliverable across the plan area.
- 3.7 Drawing the above together, the Council seeks 100% affordable rent in accordance with the CWHEDNA. The Council maintains a strong expectation that the tenure mix will not fall below the 70% need identified in the NBHEDNA and benchmarked in the Viability Assessment unless extraordinary circumstances are proven.
- 3.8 The Council will engage with developers to deliver the need identified within the HEDNAs. Discussions between the Council and developers will be informed by the Council's Housing Register, site specific viability evidence, sources of funding, housing mix, the Council's Housing Strategy (2024-2034)<sup>12</sup> and any other relevant evidence. Developers should contact the Council at the earliest opportunity to establish the required tenure mix.

## **The Housing Mix**

- 3.9 The Council published a Sub-Regional Housing and Economic Development Needs Assessment (HEDNA)<sup>13</sup> in 2022 which provides the most up-to-date housing market information. The following table summarises the requirements for Nuneaton and Bedworth Borough:

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<sup>12</sup> Nuneaton and Bedworth Borough Council (2024). *Housing Strategy (2024-2034)* <https://www.nuneatonandbedworth.gov.uk/downloads/file/1589/housing-strategy-2024>

<sup>13</sup> Nuneaton and Bedworth Borough Council (2022). *Coventry & Warwickshire Housing & Economic Development Needs Assessment (HEDNA)* [eb7-1-coventry-and-warwickshire-housing-and-economic-development-needs-assessment-hedna-2022-](https://www.nuneatonandbedworth.gov.uk/downloads/file/1589/housing-strategy-2024)

	<b>Social/Affordable Rented Housing (%)</b>	<b>Affordable Home Ownership (%)</b>	<b>Market Housing (%)</b>
1-bedroom	25	20	10
2-bedroom	35	40	35
3-bedroom	30	30	45
4-bedroom	10	10	10

3.10 Due to the lack of large affordable homes to rent in the Borough, the Council’s Housing team will seek to see at least 1 x 5-bedroom affordable dwelling to rent is provided per residential development.

3.11 Developers are advised to make early contact with the Council’s Housing Strategy team by emailing [Housing.Strategy@nuneatonandbedworth.gov.uk](mailto:Housing.Strategy@nuneatonandbedworth.gov.uk) if they wish to determine the current requirements of the Council’s Housing Register, which is regularly updated, and discuss Nuneaton and Bedworth’s local housing need.

**4. Scenarios which may affect the amount of Affordable Housing**

4.1 The NPPF is clear that developments must make efficient use of land. Where the number of new dwellings is not considered appropriate to the density of the area and not making efficient use of the land, the Council will negotiate a revised number of dwellings at a greater density. The revision may result in an increased requirement for affordable housing units.

4.2 If the number of dwellings to be built on the development site is less than the policy threshold but greater than 1000m<sup>2</sup> gross floor space, it is expected that affordable housing units will be provided in accordance with Borough Plan Review Policy H2 – Affordable Housing Provision.

4.3 Where existing affordable housing, or sites previously used for affordable housing are to be redeveloped, the same number of affordable houses should be replaced on-site. The mix of tenure and dwelling size should be confirmed with the Council to suit current need. Where viability grounds prevent the re-provision of affordable

houses, the Council will negotiate the numbers, tenure and size of affordable housing.

- 4.4 Schemes which comprise of entirely affordable housing should have regard to the percentage share of rental tenure. Other than the rental requirement there are no maximum parameters set to the number of affordable housing units. However, the design and layout must facilitate the aim of achieving balanced sustainable communities.
- 4.5 In cases where the percentage does not equate to a whole dwelling, the amount required will be rounded up.
- 4.6 The Council will be alert to artificial or contrived subdivision of land to circumvent the affordable housing thresholds. If there is a suspicion that proposals are not using land efficiently, or proposals are being developed in piecemeal way to achieve this, the Council will scrutinise site ownership boundaries, densities, unit mix and adjacent land proposals. Where there is a clear case that applicants are trying to circumvent affordable housing thresholds, the proposals will either be recommended for refusal or asked to be withdrawn and resubmitted with a revised scheme. Where adjacent and related residential proposals result in combined numbers meeting or exceeding the policy threshold for affordable housing, the Council will request that they are included as part of a comprehensive development proposal. In those instances, the Council will seek the appropriate amount of affordable housing based on the total number of dwellings or floor space area achievable for the combined parcels of land.

## **5. Design and Location of Affordable Housing**

- 5.1 To promote inclusive communities affordable housing should not be identifiable from other forms of housing, within a housing development, or located in the least desirable areas of the site but distributed evenly amongst market housing, where possible. The following table recommends appropriate cluster sizes for development proposals of various sizes:

<b>Total development size (no. of units)</b>	<b>Affordable unit requirement (no. of units)</b>	<b>Maximum cluster size (no. of units)</b>	<b>Approx. number of clusters</b>
15-30	4-8	2	2-4
31-60	8-15	4	2-3
61-100	15-25	5	3-5
101-150	25-38	7	4-5
151-200	38-50	10	3-5
200-500	50-125	15	3-8
500+	125+	15-20	8+

- 5.2 Clusters comprise of all affordable housing tenures including; all affordable housing which share a common border including adjacent gardens; existing affordable housing and any affordable home on an adjacent construction phase including those in different land ownership.
- 5.3 Interaction within the community is an important consideration when designing places for people to live. Social integration can enhance wellbeing and provide enhanced safety and security for residents. The location and design of affordable housing should promote daily interaction between affordable and market occupiers, where possible.
- 5.4 Innovative designs and construction techniques such as, modern methods of construction can help to alleviate housing need in the Borough and will be encouraged. Proposals should have regard to the broader range of planning policies.
- 5.5 The design of affordable housing should conform to design standards of funding bodies such as Homes England in order to satisfy any funding grant requirements.
- 5.6 The overall design should accord with Borough Plan Review Policy BE3 – Sustainable Design and Construction and other relevant policies.

## **6. Timing of Provision**

- 6.1 In order to achieve the desired outcome of mixed and balanced communities, the timing of the delivery of affordable homes should be considered carefully at the application stage of the process. Applications must demonstrate that affordable housing will be completed at a proportionate rate to that of market housing.
- 6.2 On phased developments, developers must take into account the location of affordable housing on neighbouring sites to ensure an even housing distribution across the sites. Dialogue is particularly important on large strategic sites which may be in multiple ownerships and involve different developers and land owners.

## **7. Accessible Housing**

- 7.1 Developers of affordable housing will need to consider the range of needs of people who live within the Borough. The HEDNA (2022) identifies homes for older people and for people with disabilities as an important requirement within the Borough.

### **Older People**

- 7.2 Developers of affordable housing will need to consider the range of needs of people who live within the Borough. The HEDNA (2022) provides an indicative assessment of specialist housing needs for 2022-2023. It indicates that the Borough would need to make provision for 647 dwellings with support and 506 dwellings with care, which includes a higher affordable housing need in Nuneaton and Bedworth compared with the other Warwickshire authorities in the Housing Market Area. There is also a need for 503 additional nursing and residential care bedspaces. Where an evidenced need exists, particularly in locations with good access to local services, the Council will seek appropriate affordable extra-care housing.

### **People with Disability**

- 7.3 The needs of people with disabilities are considered in Policy H2 – Affordable Housing Provision, which outlines that all affordable housing must meet the requirement for 95% of new dwellings to be M4(2) compliant and 5% to meet the M4(3) Building Regulations standard. Where an evidenced need exists, the Council will negotiate the requirements in relation to affordable housing.

## 8. Car Parking Standards

8.1 Car parking for affordable housing should be the same as for open market housing, meeting the standards set out in the Transport Demand Management Matters – Parking Standards SPD in terms of the amount and design. Deviation from these car parking standards will be by exception and only where robustly justified, taking into account the unique characteristics of the proposal and the site.

## 9. Viability

9.1 In line with national planning policy and guidance, it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the planning application stage. It is clear from Planning Practice Guidance<sup>14</sup> that there will be limited circumstances where viability testing at the planning application stage is considered necessary.

9.2 Examples of circumstances where a viability assessment will be accepted, set out in the Planning Practice Guidance, and relied upon by the Council in its approach include:

- Where development is proposed on unallocated sites of a wholly different type to those used in the viability assessment that informed the plan;
- Where further information on infrastructure or site costs is required;
- Where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or older people);
- Where a recession or similar significant economic changes have occurred since the plan was brought into force.

## 10. Alternative Site Location and Commuted Provision

10.1 Where affordable housing has been sought by the Council under Policy H2 – Affordable Housing Provision, provision should normally be met at the site which is subject to planning permission. In certain

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<sup>14</sup> Ministry of Housing, Communities and Local Government (2025). *Planning Practice Guidance - Viability*. [Viability - GOV.UK](https://www.gov.uk/guidance/planning-practice-guidance-viability)



circumstances it may not be possible to deliver affordable housing as part of the overall development site. In such cases it is incumbent on the applicant to demonstrate why on-site delivery is not possible. Circumstances which might justify off-site provision may include:

- Sites where it is not possible for Registered Providers to effectively manage properties.
- Where it can be proven that the aim of achieving mixed and balanced communities cannot be achieved on-site.
- Where developments would incur high maintenance costs which would be prohibitive to Registered Providers.
- The applicant's business model.

10.2 Where it has been demonstrated on-site delivery of affordable housing is not possible, the Council will consider four alternative options in the following order:

1. An alternative location within two miles of the development site which has the greatest need for affordable housing.
2. If no sites are within two miles of the development site, an alternative site within the Borough which has an identified need for affordable housing.
3. The purchasing of existing housing units within the Borough.
4. In exceptional circumstances the Council will consider alternative delivery options, such as commuted sums, but only as a last resort.

10.3 Developers seeking to provide affordable housing off-site should follow the order set out above and clearly demonstrate why an option is not suitable before proceeding to the next in sequence.

10.4 Where the Council has agreed to an alternative location, the off-site provision must be to the equivalent amount and cost of on-site affordable housing. To support the aim of creating strong and vibrant communities, the mix between open market housing and affordable housing should be the same as if provided on the development site.

10.5 The alternative site location must carry similar benefits and access to local facilities for potential occupants as the original development site. Applicants may be required to demonstrate that they have considered a number of different potential sites and that the chosen site is broadly comparable to the original site in terms of its characteristics and access to local facilities.

- 10.6 Where the applicant purchases housing equivalent to size, number and cost of those which should be located at the development site, the purchased housing should maintain the mix between affordable housing and market housing as would have been delivered on the development site.
- 10.7 Commuted sums in the form of financial contributions are one of the last resort. The financial contribution will be calculated on the basis of the equivalent to on-site provision. The Homes England DAT<sup>15</sup> can be used to calculate the amount payable. The DAT is designed to appraise the viability of sites and can also be used as a negotiation tool in the development process.
- 10.8 It is the responsibility of the applicant to submit the DAT as part of the application. The Council may engage an independent financial assessor to examine the commuted amount, at a cost to the applicant.

## **11. Section 106 Agreements**

- 11.1 Affordable housing will normally be secured by a Section 106 (S106) Agreement.
- 11.2 Obligations for the provision of affordable housing, secured through S106 of the Town and Country Planning Act 1990 (as amended), are entered into as legal agreements.
- 11.3 The S106 Agreement will set out criteria that, if met, grants the Council or registered affordable housing provider the option to purchase the property.
- 11.4 Developers should contact the Council at the earliest opportunity to discuss utilising the Council as their Registered Provider in terms of any affordable rent provision on-site.

### **Full Applications:**

- 11.5 The application should clearly define all the basic characteristics of the affordable housing to be provided:

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<sup>15</sup> Homes England (2023). *Development appraisal tool*. [Development appraisal tool - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/101444/Development_appraisal_tool_-_2023.pdf)

- A schedule detailing the number and type of affordable dwellings.
- Site plan showing tenures and location.
- Trigger points for the delivery of affordable housing.
- The process of appointing a Registered Provider or future management of the housing.

### **Outline Applications:**

11.6 The provision of affordable housing will be secured at the time of the planning permission. However, the level of detail in the application may result in the S106 making provision for the specifics, including tenure mix, spread and split, to be provided as part of Reserved Matters application.

### **Permissions in Principle:**

11.7 Affordable housing will be secured at the technical details consent stage of the application.

## **12. Management**

### **Registered Providers**

12.1 Completed housing for affordable rent must be managed in accordance with the Social Housing Regulation Act 2023<sup>16</sup> as well as codes of practice and regulatory guidance.

12.2 Affordable housing for rent should be transferred to a Registered Provider (also known as a Housing Association)<sup>17</sup>. The homes will be let according to the guideline target rents determined through the national rent regime.

12.3 Developers should establish a working relationship with Registered Providers at an early stage in the application process. The Council Housing Team should be informed of the invitation for offers and regularly kept informed of ongoing discussions.

12.4 The amount a Registered Housing Provider will pay for affordable housing will depend on the mix provided and any funding restrictions

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<sup>16</sup> [Social Housing \(Regulation\) Act 2023](#)

<sup>17</sup> Nuneaton and Bedworth Borough Council (2025). *Housing Associations in the borough* [Housing Associations in the borough | Apply for housing | Nuneaton and Bedworth Borough Council](#)

incumbent on the Registered Provider. Where funding restrictions, housing mix or site location limit the amount of housing a Registered Provider can purchase, the Council may negotiate a lower amount of affordable housing.

- 12.5 The HCA Development Appraisal Tool in Affordable Housing Cash Flow mode can be used to help in the valuation of affordable housing.

### **Affordable Private Rent**

- 12.6 Developers who manage affordable private rent must confirm with the Council that management arrangements are acceptable. It must be agreed with the Council that equivalent rental arrangements to the national rent regime will be provided, or rents are subject to rent controls of no more than 80% of the local market rent.
- 12.7 The affordable rent operators must produce an annual statement to the Council's Planning Department, confirming the approach to letting the affordable units, their ongoing status, and which clearly identifies how the scheme is meeting the overall affordable housing level required in the planning permission. The requirement to produce an annual statement will be included in the S106 agreement<sup>18</sup>.
- 12.8 The S106 will set out the management of affordable private rent units which will include: the parameters of the lettings agreement, the rent levels, apportionment of the homes across the development, a management and service agreement, and a marketing agreement setting out how their availability is to be publicised.

## **13. Occupancy**

### **Social Rent/Affordable Rent**

- 13.1 Eligibility will be determined in accordance with Nuneaton and Bedworth Borough Council's Housing Allocation Policy (November 2024)<sup>19</sup>.

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<sup>18</sup> Ministry of Housing, Communities and Local Government (2018). *Planning Practice Guidance – Build to Rent*. [Build to rent - GOV.UK](https://www.gov.uk/build-to-rent)

<sup>19</sup> Nuneaton and Bedworth Borough Council (2024). *Housing Allocation Policy* [housing-allocations-policy-november-2024](#)

## Affordable Private Rent (Build to Rent)

- 13.2 Affordable private rent eligibility will be determined with regard to local household income levels, related to local rent levels. The Council may suggest names for occupancy from the Housing Register but will not have direct nomination rights<sup>20</sup>.
- 13.3 The occupancy criteria will be agreed between the developer and the Council as part of the planning application process. The occupancy criteria will be set out in the S106.
- 13.4 Affordable private housing must offer 'family friendly tenancies' of three or more years to new tenants who want them. The requirement will be set out in a planning legal agreement.

## Key Requirements for Family-Friendly Tenancies

- 13.5 **Longer Tenancies:** A central feature of these tenancies is the length of the contract, with a minimum of three years being encouraged and, in some cases, a required standard.
- 13.6 **Stability:** Tenancy terms should be clear and stable, with a defined basis for any rent increases, often linked to an index like the Consumer Price Index (CPI).
- 13.7 **Professional Management:** Developments need to be managed professionally by an accredited landlord or property manager who is a member of a recognised ombudsman scheme, ensuring a high standard of service and accountability.
- 13.8 **No Upfront Fees:** Tenants should not be charged upfront fees beyond standard deposits and rent in advance.
- 13.9 **Affordable Rent:** The rent for these homes must be at least 20% below local market rates to ensure they are genuinely affordable.

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<sup>20</sup> Ministry of Housing, Communities and Local Government (2018). *Planning Practice Guidance – Build to Rent*. [Build to rent - GOV.UK](https://www.gov.uk/build-to-rent)

## Discounted Market Sales Housing

13.10 Affordable housing for the private market, that is sold at a discount of at least 20%, will have regard to local incomes and local house prices. To be eligible, a household would not be able to afford open market housing, must have a local connection and be able to demonstrate a housing need.

## 14. Affordability

14.1 The legal agreement will ensure that rental levels, service charges and shared ownership costs are affordable.

14.2 Prior to the marketing of new affordable housing, developers should contact the Council's Housing team to obtain agreement of the current market values of the homes and the discounted price.

## 15. Affordability for Future Households

15.1 In accordance with the NPPF, affordable housing for sale or rent must remain affordable for future households.

### Affordable Rent

15.2 Where a Registered Provider is not involved in the provision of affordable housing, the legal agreement will ensure affordability is passed on to future occupiers.

15.3 In cases where affordable housing is withdrawn (due to redevelopment, for example) the Council expects replacement provision to be provided within the Borough. Where replacement provision is not possible the Council will use the financial resources which are due to provide further affordable housing within the Borough.

15.4 To calculate the financial amount when affordable private rent homes are withdrawn, the legal agreement will include the formula Clawback Sum = D x E as set out in Planning Practice Guidance<sup>21</sup>:

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<sup>21</sup> Ministry of Housing, Communities and Local Government (2018). *Planning Practice Guidance – Build to Rent*. [Build to rent - GOV.UK](https://www.gov.uk/guidance/build-to-rent)

$\text{Clawback sum} = D \times E$

where:

D is the price at which the home(s) withdrawn from Affordable Private Rent are sold

E is the percentage discount that had been applied to the rent in respect of the Affordable Private Rent home(s) being sold

## **Affordable Market Housing**

- 15.5 The legal agreement will include provision for a covenant in the freehold to be used to limit resale prices. A buyer may enter into a covenant with the provider that enables them to sell the property in the future but only at the same percentage of the market value. The covenant can be used to restrict the price based on local median incomes.
- 15.6 When marketing the affordable housing, developers should make potential buyers aware of the discount and the long term implications of buying a discounted property, together with an explanation of any resale requiring a percentage reduction of the open market value. This shall also be set out in the legal agreement.

## **16. Affordable Housing Checklist**

- 16.1 To assist developers in the requirements of Policy H2 - Affordable Housing Provision and the contents of this SPD, a checklist is provided in Appendix A. The checklist should accompany all planning applications.

## Appendix A – Affordable Housing Checklist for Developers

<b>Policy Compliance</b>		
Does the proposal accord with the Borough Plan Review policy requirement of providing either 2 units or 25% (as appropriate) of affordable housing?	Y	N
If no, please explain reason for non-compliance:		
Is the amount of affordable housing recommended by Council officers?	Y	N
If the offer is not recommended by officers please explain why the application should proceed:		
<b>Tenure Compliance</b>		
Does the on-site affordable housing tenure mix accord with the Council's Housing Strategy?	Y	N
If not compliant please explain why:		
Is the tenure split supported by Council officers?	Y	N
If the tenure split is not supported by council officers please explain why the application should proceed:		
Has a plan detailing the positioning of affordable housing been submitted?	Y	N
Is the affordable housing well integrated into the development avoiding concentrations of tenure?	Y	N



If the affordable housing is not well integrated please explain why the application should proceed:

Is the layout supported by Council officers?

Y N

If the layout is not supported by Council officers please explain why:

### Affordable Housing Mix

Please provide details of the housing mix:

Unit Type	Private		Social Rent		Intermediate		Affordable Rent		Totals	
	Units	GIA	Units	GIA	Units	GIA	Units	GIA	Units	GIA
Studio Flat										
1 Bed Flat										
2 Bed Flat										
3 Bed Flat										
2 Bed House										
3 Bed House										
4 Bed House										
5 Bed House										
Totals		m <sup>2</sup>		m <sup>2</sup>		m <sup>2</sup>		m <sup>2</sup>		m <sup>2</sup>
% of Scheme										

\*GIA = Gross Internal Area.

### Location of Affordable Housing Provision

Will the affordable housing be delivered on-site?

Y N

If no, please explain the affordable housing offer:

Is the offer recommended by Council officers?

Y N

If the offer is not recommended by officers please explain why the application should proceed:

**Affordable Housing Providers**

Have registered providers been approached and the Council informed of discussions?	Y	N
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If there have been no discussions with registered providers please explain why:

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