

Project on the Delivery of Affordable Housing through the planning system

Case – study – Project on the Delivery of Affordable Housing through the planning system

Aberdeenshire Council has little of its own land on which to construct housing and so it has to work closely with housing developers to access the housing units and land it has negotiated in planning agreements with them. The work undertaken by the Conveyancing Team to access these housing units and land formed part of the Council's Affordable Housing Supply Programme for 2016/17. Traditionally, S75's agreements are considered to be a blunt tool in which to secure financial contributions and infrastructure as a means of mitigating the impact of development in its locality. In Aberdeenshire, planning agreements are much more than that and are vital in securing much needed affordable housing for its residents who otherwise would find it difficult to rent or buy property in the private sector. The work undertaken by the Council's Conveyancing Team to secure 224 affordable housing units in a very short timescale which was dependent upon S75's was crucial to the success in delivering needed affordable housing.

Ordinarily, the legal work undertaken by the Conveyancing Team to support the delivery of affordable housing is routine work undertaken throughout the year as each development comes to fruition. However, in this case, the developers did not finalise the terms to the early delivery of affordable housing until nine weeks prior to the funding deadline of 31 March, 2017. During discussion of these late agreements with the Council's Affordable Housing Officer (Strategic Development) it became clear there were a number of overarching legal transactions which the Conveyancing Team would have lead and conclude in a short period of time, across a number of work streams. These would all input into the early delivery of 224 affordable housing units (not just for the Council but for its partners) in Aberdeenshire in 9 weeks and require completion of 8 new S75 agreements as part of this.

This project has been submitted for the Scottish Awards for Quality in Planning and comments from partners and services are as under noted.

Head of Property and Facilities Management, Business Services, Aberdeenshire Council:

"That's brilliant, great leadership from yourself and effort across the Council. It is even better when this gets progressed as a seamless process with little or no input from Chief Officers."

Land Director, Kirkwood Homes:

"Your input in getting this one through to enable the acceleration of the affordable units is appreciated."

Team Leader, Affordable Housing, Infrastructure Services, Aberdeenshire Council:

"Your team have done more than you know."