

Decision under Delegated Powers

Officer Requesting Decision

Principal Planning Officer

Officer Making the Decision

Head of Planning & Regeneration Services

Recommendation

That a Deed of Variation is completed to the existing s106 Agreement for the development at West Cross Lane, Mountsorrel (application ref P/14/0058/2).

Reason

To amend the existing s106 Agreement to allow for:

1. Amendments to the tenure mix of affordable housing to 60% Intermediate Rented and 40% Shared Ownership
2. Tie in all relevant permissions and reserved matters approvals

Authority for Decision

The request was considered and agreed by Plans Committee on 14 September 2017. The S106 has been completed in accordance with the resolution of the Plans Committee as set out in the Officers Report and Extras Paper.

The document now reflects this decision and therefore Part 2a of the Council Constitution - Delegation to the Head of Planning and Regeneration:

2. To agree non-material amendments and minor material amendments to planning permissions where no demonstrable harm would be caused to an interest of acknowledged importance.
21. To negotiate the heads of terms of section 106 agreements.

Decision and Date



6 December 2017

Background

The Section 106 Agreement to which this Deed of Variation relates was completed on 23rd December 2014 under planning permission P/14/0058/2.

This agreement comprised a residential development of up to 130 dwellings and secured 15% of the dwellings constructed on site to be affordable housing along with other contributions towards community infrastructure. The original agreement required an affordable housing mix of 75% Intermediate Rented Dwellings and 25% Shared Ownership. The applicant seeks to amend this tenure mix as follows:

) Sixty per cent (60%) of the Affordable Dwellings as Intermediate Rented Dwellings; and

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) Forty per cent (40%) of the Affordable Dwellings as Shared Ownership Housing.

The proposals for additional dwellings would also support the Council's Housing Land Supply.

At its meeting on 14 September 2017, Plans Committee resolved to authorise the Head of planning and Regeneration to complete a Section 106 Deed of variation to deliver the alternative tenure mix for 24 affordable houses (minute 17/18 refers)

Relevant Planning History

This is set out in the planning history and the officer's report and extras paper but the site has planning permission for up to 142 dwellings on which work has commenced.

Policy Considerations

Development Plan

Policy CS3 of the Charnwood Core Strategy 2011 to 2028 - Strategic Housing Needs - sets out affordable housing requirements and an appropriate mix of types, tenures and sizes of homes.

Policy CS24 of the Charnwood Core Strategy 2011 to 2028 - Delivering Infrastructure – sets out that infrastructure should be delivered having regard to the economic viability and circumstances.

Housing SPD (May 2017)

The SPD provides guidance to support the Local Plan Core Strategy and the saved policies of the Borough of Charnwood Local Plan in respect of Policy CS3: Strategic Housing Needs - for affordable housing. The new SPD includes a flexible and negotiated position in terms of meeting housing needs and tenure mixes.

Consultations

Housing Strategy – The proposed tenure mix is noted and agreed

County Council – Continues to deliver the contributions originally sought. The County Council are Party to the Agreement and have engrossed the document.

Considerations

The development has been implemented.

Following discussions with Housing Strategy Officers the proposals will facilitate the delivery of affordable housing on the development and make a contribution towards meeting housing needs.

The inclusion of all the permissions within a single Deed of Variation will also aid the transparency and single point of reference for the decision.

The proposed changes to the S106 Agreement would be in accordance with the aims and objectives of Policies CS3 and CS24 of the Core Strategy and the new Housing SPD.

Financial Implications

None

Risk Management

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
Affordable Housing Delivery	unlikely	minor	Housing Strategy Officers and Planning Officers are engaged in and have agreed the delivery of an appropriate mix of affordable housing and where these are best located.

Key Decision:

No

Background Papers:

Planning files: P/14/0058/2

Officer Report and Extras Paper to 14 September 2017 Plans Committee Agreed Deed of Variation