

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H09-0590-19 **Applicant:** Accent Housing Ltd

Proposal: Modification of S106 Agreement to include mortgagee exclusion clause in relation to the affordable housing units - planning approval H09-0454-15

Location: Plots 28, 29, 30, 37 & 38 Low Lane Holbeach

Terminal Date: 6th August 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
17 Providing a Mix of Housing
18 Affordable Housing

National Guidance

National Planning Policy Framework 2019

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	1	0	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is an application to vary a S106 planning obligation. The Deed of Variation is dated 18 July 2019 and is between Accent Housing Ltd and SHDC. The original S106 is dated 9 October 2017, which was between Ashley King Developments and SHDC.

The modification proposed is to include a new mortgagee exclusion clause in relation to the affordable housing units on Plots 28, 29, 30, 37 and 38.

History

H09-0454-15 Erection of 39 dwellings allowed on appeal 23/11/17.

Consultation Responses

Cllr F Biggadike - support subject to the satisfaction of SHDC legal services.

Planning chairman. Holbeach Parish Council - No objections but wishes applicants would get things like this right to start with.

Planning Considerations

This is an application to modify the s106 agreement tied to planning permission (H09-0454-15) in order to include a new mortgagee exclusion clause in relation to the affordable housing units. This is to enable the affordable housing provider to achieve a higher valuation when seeking to secure funds.

There are no amendments to financial contributions.

Conclusion

The proposed modification is considered to be acceptable.