

APPLICATION FOR MODIFICATION OF S106 PLANNING OBLIGATION RELATING TO PROPOSED RESIDENTIAL DEVELOPMENT AT CROSSROADS NURSERIES, MAIN ROAD, QUADRING
(OUTLINE PLANNING PERMISSION REF H15-1207-18)
EXISTING DEED REF : LDH15-1207-18 dated 12th September 2019.

PROPOSED MODIFICATIONS

1. AFFORDABLE HOUSING

CURRENT AGREEMENT

- 25% of development to be affordable (based upon total of 60 dwellings = 15 dwellings)
- affordable housing scheme to be submitted to LPA prior to commencement of development
- not to occupy or permit occupation of more than 40% of market dwellings until construction of all affordable dwellings has been commenced in accordance with affordable housing scheme (45 market units x 40% = 18 market units)
- not to occupy or permit occupation of more than 60% of market dwellings until construction of all affordable dwellings has been certified practically complete (45 market units x 60% = 27 market units)

PROPOSED AGREEMENT

- 25% of development to be affordable (based upon total of 60 dwellings = 15 dwellings)
- *affordable housing scheme to be submitted to LPA prior to commencement of the 10th dwelling i.e. Phase 2.*
- *not to occupy or permit occupation of more than 27 market units until construction of all affordable dwellings has been commenced in accordance with affordable housing scheme.*
- *not to occupy or permit occupation of more than 36 market dwellings until construction of all affordable dwellings has been certified practically complete*

2. EDUCATION CONTRIBUTION & HEALTH CARE FACILITY CONTRIBUTION

CURRENT AGREEMENT

- Education Contribution and Health Care Facility Contributions to be paid prior to more than 50% occupation of 'the dwellings' (i.e. 30 dwellings)

PROPOSED AGREEMENT

- *Education Contribution and Health Care Facility Contributions to be paid prior to more than 50% occupation of Phase 2/ balance of the development which is 51 dwellings = 25.5 dwellings (rounded up to 26)
Therefore the trigger for Contributions would be prior to occupation of 35 dwellings on the development including phase 1 development.*

JUSTIFICATION STATEMENT FOR THE REQUESTED MODIFICATION TO THE EXISTING S106 OBLIGATION

Following the granting of Outline Planning Permission for residential development of up to 60 dwellings on the site a Reserved Matters Application (H15-0942-20) was submitted to the Local Planning Authority for an initial Phase of development comprising 9 detached bungalows and an adoptable estate road which will deliver the access to the balance of the approved site.

The Reserved Matters Submission identified the rationale behind a phased redevelopment of this large village centre site and referenced discussions that had taken place with the Local Planning Authority with specific regard to the S106 Planning Agreement that relates to a single phased development of up to 60 dwellings.

The implementation of the Reserved Matters scheme - Phase 1, involves disproportionate costs compared with a normal residential development site – site clearance of previous structures, archaeological and environmental evaluations, preparation and construction of adoptable standard highway including infrastructure installation to accommodate the balance of the development at a future date.

We are not seeking to avoid the financial obligations detailed in the current S106 Agreement or reduce the affordable housing quota but simply defer the 'trigger points' for the various elements proportionate to the delivery of the 9 dwellings approved under Phase 1.

There is a commitment by the Applicants to commence the redevelopment of this site, but in an evaluated and manageable manner, and we therefore seek agreement from the Local Planning Authority to modify the current S106 Agreement to enable this commitment to materialise at the earliest opportunity.

Alan J Finch

29 APRIL 2021