

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING & DEVELOPMENT CONTROL COMMITTEE**

DATE: **WEDNESDAY, 20 JULY 2016**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **054151 - GENERAL MATTERS - DEMOLITION OF EXISTING HEALTH CARE CENTRE AND ERECTION OF 24 NO. AFFORDABLE APARTMENTS WITH ASSOCIATED LANDSCAPING AND PARKING AT BUCKLEY HEALTH CENTRE, PADESWOOD ROAD NORTH, BUCKLEY**

1.00 APPLICATION NUMBER

1.01 054151

2.00 APPLICANT

2.01 GRWP CYNEFIN

3.00 SITE

3.01 FORMER BUCKLEY MEDICAL CENTRE,
PADESWOOD ROAD NORTH,
BUCKLEY.

4.00 APPLICATION VALID DATE

4.01 12TH AUGUST 2015

5.00 PURPOSE OF REPORT

5.01 To seek approval from Members for an amendment to the resolution made at the Planning and Development Control Committee held on 16th December 2015 in respect of the proposed Section 106 Agreement required in connection with the above proposal.

6.00 REPORT

6.01 Members will recall considering this proposal at the Committee of the 16th December 2015 and resolving to grant planning permission

subject to, amongst other matters, a S.106 Agreement requiring the following:

- 6.02
- a) Ensure the payment of a contribution of £17,592 to the Council in lieu of on-site play and recreation provision. Such sum to be paid to the Council prior to the occupation of any dwelling hereby approved and to be used to upgrade existing facilities within the community at Lyme Grove Play Area;
 - b) The precise methods of Social Rental via which the units are to be made affordable and provisions for their continued affordability thereafter;
 - c) The payment of £4000 as a contribution to the cost of amendments to existing on road parking restrictions and the provision of related signage and road markings via a new Traffic Regulation Order on Padeswood Road.
- 6.03 There have been discussions between officers of the Council and the Applicant in respect of the above terms of the S.106. The matters to which this report directs itself relates to clause b) above. It is normal practice where an application is submitted upon the basis of being an affordable scheme for the precise methods and means of affordability to be secured in perpetuity via a S.106 agreement.
- 6.04 As the applicant is a Registered Social Landlord (RSL), dwellings in their ownership will be made available upon an affordable basis in any event.
- 6.05 However, whilst the application was advanced upon the basis of being 100% affordable, the applicant is concerned that the suggested S.106 clause (for 100% of the dwellings to be made available on social rented terms) would place a restriction upon the means and methods by which the units may be made available as affordable housing. The applicant has requested that only 30% (8no.) of the units are restricted under the terms of the S.106 agreement and are thereby required to be made available on social rented terms with the rent to be in accordance with the Local Housing Allowance set for the Community.
- 6.06 I do not consider that this is unreasonable. I appreciate that control over the proposed affordability method across 100% of the scheme causes practical difficulties for the applicant in that they will not be able to secure the required lending on this basis, and therefore I consider such a scheme would be unduly restrictive and therefore unjustifiable.
- 6.07 The residual of the scheme (16No. units) will be available for occupation via a range of other affordable accommodation models as the applicant is an RSL, but these would not be restricted under the S.106. There is a demonstrable need for affordable housing in the

area and this proposal will contribute to meeting this need.

6.08 Accordingly, I consider the amendment to the S.106 clause to be acceptable and am satisfied that the amendment still ensures that the proposals, as a whole, are compliant with the requirements of policy.

7.00 RECOMMENDATIONS

7.01 That the suggested clauses of the S.106 be amended to provide for the following:

- a) Ensure the payment of a contribution of £17,592 to the Council in lieu of on-site play and recreation provision. Such sum to be paid to the Council prior to the occupation of any dwelling hereby approved and to be used to upgrade existing facilities within the community at Lyme Grove Play Area;
- b) Ensure that 8No. of the proposed units are made affordable on Social Rented Terms with rents in accordance with the Local Housing Allowance set for the Community, and to contain provisions for their continued affordability thereafter;
- c) The payment of £4000 as a contribution to the cost of amendments to existing on road parking restrictions and the provision of related signage and road markings via a new Traffic Regulation Order on Padeswood Road

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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