

FLINTSHIRE COUNTY COUNCIL

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

DATE: **WEDNESDAY, 5 SEPTEMBER 2012**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **GENERAL MATTERS - OUTLINE APPLICATION SEEKING APPROVAL OF ACCESS AND SCALE - ERECTION OF DETACHED DWELLING AT "EARLSCROFT", ASTON HILL, EWLOE**

1.00 APPLICATION NUMBER

1.01 048746

2.00 APPLICANT

2.01 Mr K Ratcliffe

3.00 SITE

3.01 "Earlscroft", Aston Hill, Ewloe

4.00 APPLICATION VALID DATE

4.01 14/ 7/2011

5.00 PURPOSE OF REPORT

5.01 To consider a request by the applicant to vary the requirements of the Section 106 Agreement, subject to which Members resolved at the Planning and development Control Committee of the 8th February 2012, to grant planning permission.

5.02 The proposed variation relates to the manner in which the commuted sum is held prior to release to facilitate affordable housing.

6.00 REPORT

6.01 Members will recall that the report of the Head of Planning to the committee of the 8th February 2012 recommended that planning

permission, in connection with the development proposed under this application reference, be granted subject to the applicant entering into a Section 106 agreement in respect of a commuted sum for affordable housing purposes.

- 6.02 Members will recall that following discussions with the Head of Housing Strategy, the sum required to be paid in lieu of actual on site provision of affordable housing was £31,000.
- 6.03 Further to this resolution, the applicant has been in discussions with the Head of Housing Strategy in respect of the mechanism to deliver the required monies. Members will be aware that the usual approach adopted by the Council in connection with such issues has been for the sum to be paid to the Council and then utilised in whichever way is deemed appropriate.
- 6.04 However, an alternative suggestion has been made by the applicant which involves the applicant either offering a Unilateral Undertaking or entering into a S.106 Agreement to retain the equity in the property, equivalent to the in lieu contribution sought, and such sum being held by the applicant with the intention to release this sum to a nominated person from the Flintshire County Council Affordable Home Ownership Register. This nominated person would have to have an identified local connection to Ewloe and their qualification for access to this sum would be independently verified by Tai Clwyd.
- 6.05 The Head of Housing Strategy is satisfied that this alternative secures the same outcome as that approach normally adopted and is agreeable to this variation to the agreement. The sum sought will be required to be paid prior to the occupation of the dwelling approved under planning permission reference 48746.
- 6.06 In the event that the dwelling approved is made available for occupation before the identification of an appropriate nominated person, the sum of £31,000 shall then be paid to the Council for utilisation in facilitating the access for a nominated person to affordable housing in the locality.

7.00 RECOMMENDATIONS

- 7.01 That the resolution in respect of the provisions of the S.106 agreement relating to the site be amended to allow for the commuted sum in lieu of on site affordable home provision to be delivered in the manner set out above and not paid directly to the Council.

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