

FLINTSHIRE COUNTY COUNCIL

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

DATE: **5TH FEBRUARY 2020**

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

SUBJECT: **GENERAL MATTERS - PROPOSED VARIATION TO SECTION 106 AGREEMENT - ISSA FARM, BRYN ROAD, BYRN Y BAAL, MOLD**

1.00 APPLICATION NUMBER

1.01 059026

2.00 APPLICANT

2.01 Macbryde Homes

3.00 SITE

3.01 Issa Farm, Bryn Road, Bryn y Baal, Mold.

4.00 APPLICATION VALID DATE

4.01 N/A

5.00 PURPOSE OF REPORT

5.01 To seek authority to vary the Section 106 Agreement dated the 24th April 2019 ("the Section 106 Agreement") in respect of the affordable housing provision on the site.

6.00 REPORT

6.01 Planning permission was granted in April 2019 for the erection of fifty nine (No.59) dwellings with associated works. The planning permission was granted subject to the Section 106 Agreement which, amongst other matters, required the provision of eighteen (no. 18) affordable houses on the site (constituting 30% provision). Those dwellings were to be delivered as affordable home ownership dwellings, sold at 70% of their Open Market Value to designated

persons on the Affordable Housing Register.

- 6.02 However, there has not been a high enough demand of those wishing to purchase all eighteen of the affordable dwellings, whilst there is demand for affordable rental dwellings. Accordingly, the developers have agreed, in discussion with Housing Strategy, that the mix in the type of affordable dwellings to be delivered on the site under the Section 106 Agreement may be varied. Housing Strategy consider that the new mix of affordable dwellings should comprise nine (no. 9) affordable rental dwellings and nine (no. 9) affordable home ownership dwellings, as this mix should avoid any of the affordable dwellings being lost to the open market.
- 6.03 There is a need to vary the terms of the Section 106 Agreement to provide for the affordable housing mix referred to in paragraph 6.02 above and the nine affordable rental dwellings can then be subsequently transferred to either a Registered Social Landlord or to NEW Homes to manage as affordable rental dwellings.

7.00 RECOMMENDATIONS

- 7.01 That the Section 106 Agreement is varied to provide for nine affordable home ownership dwellings and nine affordable rental dwellings.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
The Section 106 Agreement

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