

CHESHIRE EAST COUNCIL

SOUTHERN PLANNING COMMITTEE

Date of meeting: 2nd February 2011
Report of: Adrian Fisher, Head of Planning and Housing
Title: Wyche Lane, Bunbury

1.0 Purpose of Report

- 1.1 To consider a proposed variation to the Section 106 Agreement attached to planning permission P07/0867 for 10 affordable houses at Wyche Lane, Bunbury, approved by Crewe and Nantwich Borough Council.

2.0 Decision Required

- 2.1 To agree to the proposed amendments and to instruct the Borough Solicitor to prepare a Deed of Variation.

3.0 Background

- 3.1 Full planning permission was granted in March 2009 for an affordable housing development of ten houses along the frontage of the former football field, situated between the village centre and the area of Higher Bunbury to the east.
- 3.2 The scheme comprises 3 pairs of semi-detached dwellings fronting onto the road and a single larger detached dwelling at 90 degrees to the road. A further block of 3 mews houses is located to the rear of the site. A parking court has been provided in the centre of the site, with areas of open space to the rear corners. Vehicle access to the parking court is from a single T junction midway along the site frontage.
- 3.3 The current Section 106 Agreement identifies the split as 7 affordable rented units and 3 shared ownership units.
- 3.4 On 22nd February 2010 the committee resolved to instruct the Borough Solicitor to prepare a Deed of Variation in respect of the Section 106 Agreement attached to planning permission P07/0867 to modify the mix of tenure on the site from 7 affordable rented units and 3 shared ownership units to provide for all affordable rented units

4.0 Proposals

- 4.1 Following the committee resolution, a bid was made by Muir, which is the Registered Social Landlord developing the scheme, to the HCA on

the basis of the approved scheme. However, it could not be funded due to the lack of available HCA grant.

4.2 Subsequently, some HCA funding has become available and in early December 2010 discussions took place between the HCA and Cheshire East to establish what schemes should be given priority. Wyche Lane was identified as the Local Authority's top priority, but the housing need for this area has changed due to the development of another site in close proximity, which delivered social housing units for target rent.

4.3 Cheshire East have therefore asked Muir to make a HCA bid based on a revised mix of four affordable rent and six intermediate rent. The bid is currently being considered by the HCA, but any grant funding would be dependent on a start on site this financial year.

4.4 The current scheme, as set out in the Deed of Variation, which is at present unsigned, is still to provide 10 units at target rent. This therefore does not meet the current demand in the area and is not in line with the bid to the HCA.

4.5 Muir have therefore requested an amendment to the current S106 to allow for the following mix of units: -

2x 2bed/4person Houses at Target Rent

2x 3bed/5person Houses at Target Rent

3x 2bed/4person Houses at Intermediate Rent

3x 3bed/5person Houses at Intermediate Rent

Units in total: 10

4.6 The intermediate rented units will be based on 80% of Open Market Rents in the Area, which have been obtained by an independent local valuer. The current open market rents for the area are £650 pcm for the 2bed/4person house and £750 pcm for the 3 bed/5 person house.

4.7 Any bid for grant to the HCA, now goes through a rigorous vetting process and they want to see evidence that any scheme being allocated grant this late in the year is in a position to start on site by March 2011. They would therefore need to see any S106 or planning issues resolved before they can commit to grant funding.

5.0 Conclusion

5.1 On the basis of the above, the proposed changes to the Section 106 are considered to be appropriate and acceptable.

6.0 Recommendation

That the Committee resolve to instruct the Borough Solicitor to prepare a Deed of Variation in respect of the Section 106 Agreement attached to planning permission P07/0867 to modify the mix of tenure on the site to:

2x 2bed/4person Houses at Target Rent

2x 3bed/5person Houses at Target Rent

3x 2bed/4person Houses at Intermediate Rent

3x 3bed/5person Houses at Intermediate Rent

Units in total: 10

7.0 Financial Implications

- 7.1 There are no financial implications. Muir will be required to pay the Council's legal costs.

8.0 Consultations

Borough Solicitor

- 8.1 The Borough Solicitor has been consulted on the proposals and raised no objections

Housing Section

- 8.2 The housing section have commented that they support the changes proposed by Muir Group to the s106 agreement.

9.0 Risk Assessment

- 9.1 There are no risks associated with this decision.

10.0 Reasons for Recommendation

- 10.1 To ensure that an approved scheme for essential affordable housing within the rural area is delivered.

For further information:

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Background Documents:

Application P07/0867