

## DEVELOPMENT MANAGEMENT COMMITTEE – 19 JULY 2017

<b>Application Number</b>	3/17/0819/SV
<b>Proposal</b>	Planning ref: 3/13/2223/FP – The proposed change to the Section 106 Agreement to amend the tenure of a 4 bedroom house (4 Arthur Martin-Leake Way) from affordable rent (AR) to shared ownership (SO).
<b>Location</b>	4 Arthur Martin-Leake Way, High Cross, SG11 1BQ
<b>Applicant</b>	B3 Living
<b>Parish</b>	Thundridge
<b>Ward</b>	Thundridge and Standon

<b>Date of Registration of Application</b>	30 March 2017
<b>Target Determination Date</b>	25 May 2017
<b>Reason for Committee Report</b>	Variation of Section 106
<b>Case Officer</b>	Martin Plummer

### **RECOMMENDATION**

That planning permission be **GRANTED** subject to a deed of variation to the legal agreement and conditions as set out at the end of this report.

#### **1.0 Summary**

- 1.1 Planning permission was granted for a residential development of 57 dwellings at the site which has been implemented. The approved and implemented development incorporated a number of affordable housing units and a tenure mix comprising of 16 dwellings being affordable rent and 6 dwellings being shared ownership.
- 1.2 The proposed change of one of the affordable rent dwellings to a shared ownership dwelling is considered to be acceptable, having regard to the position and size of this unit and, having regard to the consultation response from the Council's Housing Team.

#### **2.0 Site Description**

- 2.1 The site is located to the south of the category one village of High Cross and is accessed off High Road. The site is one of 57 new dwellings which have relatively recently been constructed. The building is a four bed semi-detached dwelling which is located to the west of the site.

### **3.0 Background to Proposal**

- 3.1 Planning permission was granted for the housing development under LPA reference 3/13/2223/FP, which included the construction of 57 new dwellings and a number of affordable dwellings including 16 affordable rent and 6 shared ownership dwellings.
- 3.2 This application seeks permission to change one of the affordable rent dwellings to a shared ownership dwelling.

### **4.0 Key Policy Issues**

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the adopted East Herts Local Plan 2007 and the Emerging District Plan:

<b>Key Issue</b>	<b>NPPF</b>	<b>Local Plan policy</b>	<b>District Plan</b>
Whether the change in tenure is acceptable having regard to the mix of housing development across the site.	Section 3	HSG3	HOU1

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

### **5.0 Emerging District Plan**

- 5.1 The District Plan has been submitted to the Secretary of State for examination. The view of the Council is that the Plan has been positively prepared, seeking to ensure significantly increased housing development during the plan period. The weight that can be assigned to the policies in the emerging plan can now be increased, given it has reached a further stage in preparation. There does remain a need to qualify that weight somewhat, given that the Plan has yet to be examined.

### **6.0 Summary of Consultee Responses**

- 6.1 EHDC Housing Development Advisor comments that they support the change to a shared ownership dwelling.

**7.0 Parish Council Representations**

7.1 No representations from the Parish Council have been received.

**8.0 Summary of Other Representations**

8.1 No other representations have been received.

**9.0 Planning History**

9.1 The following planning history is of relevance to this proposal:

Ref	Proposal	Decision	Date
3/13/2223/FP	Demolition of The Bungalow, The Stables and Hazelwood Farm and the erection of 57 residential units together with access and associated ancillary works.	Approved with conditions	28 November 2014

**10.0 Consideration of Relevant Issues**

10.1 The main consideration relates to whether the change of tenure of one of the affordable rent dwellings to a shared ownership dwelling is acceptable in terms of the mix and spread of affordable units across the site.

10.2 The existing mix of affordable rent and shared ownership is 73% affordable rent and 27% shared ownership which generally follows the Council's preferred tenure mix of 75% affordable rent and 25% shared ownership. The proposed development will see a slightly greater provision of shared ownership (32%) and a lower provision of affordable rent (68%).

10.3 The East Herts Local Plan has no specific policies requiring a specific tenure mix of affordable units and the emerging District Plan is equally silent, although existing policy HSG3 and emerging policy HOU3 set out that, affordable Housing provision will be expected to incorporate a mix of tenures taking account of the Council's most up to date evidence on housing need.

- 10.4 The Councils Housing team comment that they support the application and Officers understand that there is a need for shared ownership of the site of dwelling this application relates to (four bed dwelling). In addition, Officers understand that the siting of this unit, being located away from affordable rent units makes it more suited to shared ownership occupation.
- 10.5 Having regard to the advice received from the Housing Team, the development is therefore considered to be consistent with the above mentioned housing policies in the existing Local Plan and emerging District Plan.

### **11.0 Conclusion**

- 11.1 The proposed change from an affordable rent dwelling to a shared ownership dwelling results in an acceptable mix of affordable units across the site which accords with policy HSG3 of the Local Plan and emerging policy HOU3. Officers therefore recommend that planning permission is granted subject to conditions.

### **Legal Agreement**

- Change to the tenure of number 4 Arthur-Leake Way from affordable rent to shared ownership.

### **Conditions**

1. Three year time limit (1T121)
2. Approved plans (2E103)

### **Summary of Reasons for Decision**

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.