

12th September 2019

Head of Planning
Planning Department
Ribble Valley Borough Council
Church Walk
Clitheroe
Lancashire
BB7 2RA

Our ref: OAKM003

By email only

Dear Sir/Madam

APPLICATION TO MODIFY THE SECTION 106 AGREEMENT ATTACHED TO PLANNING PERMISSION 3/2017/0653 TO AMEND THE AFFORDABLE HOUSING SCHEME LAND AT CHATBURN ROAD, CLITHEROE, BB7 2EQ

I am pleased to enclose an application to modify the Section 106 Agreement attached to planning permission 3/2017/0653 to amend the affordable housing scheme tenure from 6 no. affordable ownership units and 3 no. affordable rent units, to 2 no. affordable ownership units, 3 no. affordable rent units and 4 no. discounted market sale units on behalf of our client, Oakmere Home.

The attached application form, location plan and original Section 106 Agreement are attached and the application fee of £450 has been paid directly to the Council by our client under separate cover.

Background

Planning permission was granted in November 2018 for the erection for 30 no. dwellings with associated access, landscaping and open space (3/2017/0653).

The permission I subject to a Section 106 Agreement completed on 31st October 2018 between our client and the Council and Lancashire County Council to secure planning obligations relating to the provision of affordable housing and education and leisure contributions.

Proposed Modification

This application seeks to vary the original Section 106 Agreement to modify the affordable housing obligation. The modification has been agreed with by the Council's Housing Strategy Officer, Rachael Stott.

The approved affordable housing scheme comprises 9 no. dwellings (plots 1 to 9) with a tenure mix as follows:

- 4 no. x 2 bedroom Grizdale – Affordable home ownership – Plots 1, 2, 8 and 9
- 2 no. x 3 bedroom Lowther – Affordable home ownership – Plots 3 and 4
- 3 no. x 2 bedroom Rothay – Affordable rent – Plots 5, 6 and 7

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The proposed tenure mix is as follows:

- 4 no. x 2 bedroom Grizdale – 70 % Discounted market sale – Plots 1, 2, 8 and 9
- 2 no. x 3 bedroom Lowther – Affordable home ownership – Plots 3 and 4
- 3 no. x 2 bedroom Rothay – Affordable rent – Plots 5, 6 and 7

This retains the 9 no. affordable units (plots 1 to 9) unchanged, but substitutes four of the affordable home ownership units (plots 1, 2, 8 and 9) for a new category of discounted market sale tenure at 70% of the open market value.

A Deed of Variation will be drafted by our client’s solicitor to support this change to the Section 106 Agreement, with draft Heads of Terms as follows:

	Original Agreement	Proposed Modification
Definitions	<p>Affordable Housing Units “Affordable Housing Units” means those 9 Dwellings which are provided as Affordable Housing on the Site of which the 6 units numbered 1, 2, 3, 4, 8 and 9 on the Plan shall constitute “Affordable Ownership Housing” and the 3 units numbered 5, 6 and 7 of the Plan shall constitute Affordable Rented Housing and “Affordable Housing Unit” shall be constructed accordingly.</p> <p>Discounted Market Sale Units n/a</p>	<p>Affordable Housing Units “Affordable Housing Units” means those 9 Dwellings which are provided as Affordable Housing on the Site of which <u>4 units numbered 1, 2, 8 and 9 on the Plan shall constitute Discounted Market Sale Units, 2 units numbered 3 and 4 on the Plan shall constitute “Affordable Ownership Housing”</u> and 3 units numbered 5, 6 and 7 of the Plan shall constitute Affordable Rented Housing and “Affordable Housing Unit” shall be constructed accordingly.</p> <p>Discounted Market Sale Units New definition to be inserted.</p>
Schedule 2	<p>Paragraph 1.2 The Affordable Housing Scheme referred to in this agreement provides for 9 of the Dwellings to be constructed within the Development as Affordable Housing Units of which 3 of the Affordable Housing Units shall be Affordable Rented Housing and 6 of the Affordable Housing Units shall be Affordable Home Ownership. The Over 55 Accommodation shall be at least 15% of the total number of Affordable Housing Units to meet the identified need for Over 55 Accommodation as part of the 9 Affordable Housing Units of the Development Units 1, 2, 8 and 9 on the Plan shall be of a Bungalow construction and shall be The Over 55’s Accommodation.</p>	<p>Paragraph 1.2 The Affordable Housing Scheme referred to in this agreement provides for 9 of the Dwellings to be constructed within the Development as Affordable Housing Units of which <u>4 of the Affordable Housing Units shall be Discounted Market Sale Units, 3 of the Affordable Housing Units shall be Affordable Rented Housing and 2 of the Affordable Housing Units shall be Affordable Home Ownership.</u> The Over 55 Accommodation shall be at least 15% of the total number of Affordable Housing Units to meet the identified need for Over 55 Accommodation as part of the 9 Affordable Housing Units of the Development Units 1, 2, 8 and 9 on the Plan shall be The Over 55’s Accommodation.</p>

I trust the above is sufficient to validate the application, please let me know if you require anything further.

Yours sincerely

Abigail Kos

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CC: Client

ENCS: Application Form
Location Plan
Original Section 106