

Planning Committee: 27 March 2018

Item Number: 5

Application No: [W 13 / 1207](#)

Town/Parish Council: Warwick

Case Officer: Rob Young
01926 456535 rob.young@warwickdc.gov.uk

**Woodside Farm, Harbury Lane, Bishops Tachbrook, Leamington Spa,
CV33 9QA**

Outline planning application for an urban extension comprising up to 280 new homes, public open space, landscaping, new access and highways and associated and ancillary development. FOR Thomas Bates & Son Ltd

Variation of Section 106 Agreement in relation to the affordable housing provisions

INTRODUCTION

This report relates to the above planning permission which was granted on 21 November 2013 and is subject to a Section 106 Agreement which imposed a range of obligations on the developer. This included a requirement to provide 40% affordable housing.

RECOMMENDATION

Planning Committee are recommended to authorise the variation of the Section 106 agreement as necessary in order to:

- amend the affordable housing tenure mix from 50% social rented / 30% affordable rented / 20% shared ownership to 50% social rented / 50% affordable rented; and
- change the Mortgagee in Possession clause to make it acceptable to lenders.

DETAILS OF THE VARIATION

The variation is sought by a Housing Association (WM Housing Group) in order to enable them to take on affordable housing units on the development. They wish to change the tenure mix specified in the Section 106 Agreement to allow for a larger proportion of affordable rented units in lieu of shared ownership units. The overall amount of affordable housing remains the same at 40%, as does the proportion of social rented units (50%). A change to the Mortgagee in Possession clause is also sought in order to make this acceptable to lenders.

ASSESSMENT

The Council's Housing Strategy Team have raised no objection to the proposed variation. Therefore it is considered that the proposals will continue to make adequate provision for affordable housing to meet local housing needs. It is also noted that the variation is sought by a Housing Association who wish to take on affordable housing units on the site. For these reasons it is recommended that the proposed variation is agreed.