

**7<sup>th</sup> January 2016**

<b>Report of</b>	<b>Head of Commercial Services</b>	<b>Author</b>	<b>Vincent Pearce</b>
<b>Title</b>	<b>Lakelands Stanway</b>		
<b>Wards Affected</b>	<b>Stanway and Copford and West Stanway</b>		

**This report explains a Supplemental Agreement relating to the provision of affordable housing at Lakelands Stanway**

## **1. Decision Required**

- 1.1 Members are required to approve the principle of a Supplemental Agreement which will enable the Council to secure a financial contribution to be used for the provision of affordable housing should the "Affordable Housing Scheme" not secure the required affordable housing percentage.
- 1.2 In the event that Members agree 1.1 above then the Head of Commercial Services and the appropriate Legal officer be authorised to finalise, complete and issue the final document.
- 1.3 It should be noted that the clause requiring a financial contribution in substitution for on-site delivery may never be triggered and definitely will not be triggered if at the end of the reserved matters process approval for 19.2% affordable homes has been granted. Essential it is a very useful belt and braces device to ensure that the Council is not deprived of affordable housing units in the event of the remaining sites being incapable of accommodating the requisite number of affordable units from the long-standing 800 unit development. (much of which has already been built-out and occupied).

## **2. Reasons for Decisions**

- 2.1 A deed of variation dated 9 September 2013 requires an "Affordable Housing Scheme" to be agreed by the Local Planning Authority. Whilst a Scheme has been submitted not all the parcels of land identified have planning permission. There is a small chance the parcels identified will not deliver the approved percentage of affordable housing as the relevant reserved matters are resolved and final layout and density are established. A Supplemental Agreement is therefore proposed which secures a financial contribution of £120,000 for each unit below the required 19.2% affordable housing delivery target.

## **3. Supporting Information**

- 3.1 A legal agreement in 2006 amended and secured a number of matters including affordable housing at Lakelands Stanway. Only the Affordable Housing clauses are relevant to this report. The 2006 agreement secured Affordable Housing provision at 19.2% of the total number of units within phases 2 and 3. The Agreement also requires agreement to an Affordable Housing Scheme.

- 3.2 The “Affordable Housing Scheme” identifies areas SR1, SR2, NR1 and NR3 within phases 2 and 3 where Persimmon Homes have secured planning permission for 34 affordable units. Planning permission has recently been approved on area NR2 for 22 affordable units. Parcels NR10 and SR6 are also identified as part of the “Affordable Housing Scheme” but applications are yet to be submitted.

#### **4. Alternative Options**

- 4.1 Members could agree no financial contribution is required but this would mean no alternative provision could be secured in the event of an eventual shortfall once all the land had reserved matters approval and no further land was available within the original red line site. This is not considered an acceptable alternative as it could undermine delivery of affordable housing
- 4.2 Members could require a larger contribution but the £120,000 has been agreed with the Councils AH Enabling Officer as an appropriate amount after analysing the costs of delivery across the borough for different house types in different locations

#### **5. Financial Implications**

- 5.1 There are no direct financial implications for Colchester Borough Council but the securing of financial contributions as a last resort in lieu of on-site delivery could enable the Council to deliver units for itself by adding funding to such initiatives. This may be particularly useful where the Council already has suitable land..

#### **6. Equality, Diversity and Human Rights Implications**

- 6.1 The provision of affordable homes helps to promote equality regardless of economic status and therefore contributes towards promoting diversity through improved access to housing unrelated to the individual's ability to compete in the open market.

#### **7. Consultation and Publicity Considerations**

- 7.1 No public consultation is required.

#### **8. Risk Consideration**

- 8.1 There are no risks to the Council in agreeing this report

#### **9. Strategic Plan References**

- 9.1 The Strategic Plan has four headline themes. Under the ‘Prosperous’ theme, the plan seeks to:
- Provide opportunities to increase the number of homes available including those that are affordable for local people and to build and refurbish our own Council houses for people in significant need

#### **10. Community Safety Implications**

- 10.1 The proposed variation does not affect community safety.

#### **11. Background Papers**

- 11.1 The National Planning Policy Framework. Colchester Borough Council's Strategic Plan and Core Strategy. Deed of Variation dated 9 September 2013.