

**Urgent Action – Blandford House and Malta Barracks, Shoe Lane Aldershot
Application Reference 17/00914/OUTPP**

1.0 Background

- 1.1 On 6th November 2019 the Development Management Committee resolved to grant planning permission for:

Development of up to 180 dwellings (including the conversion of Blandford House and retention of three existing dwellings) including access, internal roads, demolition of buildings, amenity space, green infrastructure and sustainable drainage systems (Matters for Approval - Access Only) to include FULL approval of details for the provision of 13.7ha of Suitable Alternative Natural Greenspace (SANG) and associated car park (18 spaces).

The decision was to grant subject to completion of a S.106 Planning Obligation by 28 February 2020 and, in the event the agreement was not completed, to refuse permission.

- 1.2 Despite ongoing efforts to complete the s106 by 28th February 2019, the applicants were concerned that this deadline was not achievable and requested an extension of the s106 completion deadline until 27th March 2020. The applicant was concerned that it would not been possible to return the sealed documents to Rushmoor due to the Defence Infrastructure Organisation (DIO) being in the middle of an office move. Since this request, there have also been further negotiations between RBC and the applicants in respect of the detail of the agreement.
- 1.3 Accordingly, an extension of time for completion of a satisfactory s106 Planning Obligation until **Friday 27th March 2020** was agreed as an urgent action by the Chairman of the Development Management Committee, in consultation with the Head of Economy, Planning and Strategic Housing on 28th February 2019.
- 1.4 The amended recommendation in respect of Application 17/00914/OUTPP now reads:

“FULL RECOMMENDATION

It is recommended that subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure the measures set out in (but not restricted to) the Heads of Terms of the Agreement below, the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to **GRANT** planning permission subject to the conditions

and informatives set out below and the Corporate Manager - Legal Services to settle the detailed terms of the S106 agreement:-

HEADS OF TERMS - S.106 AGREEMENT

- 1) **Affordable Housing** – 30% of the new units on the site to be affordable housing in accordance with an Affordable Housing Strategy to be submitted and agreed, to include:
 - i. 30% of units in each zone (excluding the Blandford House building) to be affordable housing and to be provided at the same time as private housing in each zone (5% variance applied to each zone);
 - ii. Each Reserved Matters Application to be accompanied by an Affordable Housing Statement to demonstrate compliance with the AHS;
 - iii. Clusters of affordable housing shall be no greater than ten units (12 in the case of flats).
 - iv. Tenure mix of 70% affordable rent and 30% intermediate (shared ownership), as set out in the Housing Mix Ratio table below, with mechanism to review and agree with LPA, subject to local needs and viability;

	1-bed flat	2-bed flat	2-bed house	3-bed house	4-bed house	Total
Affordable Rent (70%)	25%	15%	20%	25%	15%	100%
Intermediate (30%)	30%	20%	30%	20%		100%

- v. All affordable housing units to be accessible and adaptable by meeting the requirements of Part M4 (2) of the building regulations and the Technical Housing Standards;
- vi. 10% of new affordable rented units within each zone to be wheelchair accessible/adaptable to meet the requirements of the Building Regulations M4 (3) taking into account the guidance produced by Habinteg;
- vii. Affordable housing to be managed by a Registered Provider and RBC to secure nomination rights to 100% of first lettings or equity sales of the Affordable Housing Units and 75% of subsequent lettings and 100% of re sales;

- viii. The provision within the development of a ground-floor three-bedroom wheelchair flat with outdoor amenity space to meet RBCs need for housing with people with disabilities;
- 2) **Self-build and/or Custom-build Homes – minimum of 5% of the new homes to be provided** and the submission of a Self-Build Plot Plan and Self Build Marketing Strategy, to ensure that the plots are offered for sale at a reasonable price, and marketed for a satisfactory period, with a mechanism to allow the owner/developer free to develop plots if no purchaser is identified;
- 3) **Estate Management Company** – Details of the body to be responsible for collecting the service charge and for the maintenance and management of identified features of the development. Submission of an agreed strategy for the management of open spaces, woodland, play areas and un-adopted roads prior to first occupation, to include details of the legal framework, management structure, account charge, estate charges framework, and maintenance standards;
- 4) **SANG** – SANGs to be provided in accordance with the SANG Delivery Strategy (October 2019), to include;
- i. Mechanism to ensure sufficient funds for full establishment and in perpetuity management costs of the SANG;
 - ii. SANG to be implemented and opened prior to first occupation of the residential development to which it relates with mechanism for phasing in relation to Development SANG and Strategic SANG options;
 - iii. SANG car park to be provided with the delivery of the Strategic SANG;
 - iv. Delivery of associated off-site SANG works prior to occupation – Wellesley Woodland links;
 - v. SANG allocation strategy for third party schemes to be agreed with RBC together with a schedule that can be updated by agreement with the Council and without the need for a formal deed of variation;
 - vi. Step in rights for the Council.
- 5) **SANG Ecological Management Plan/s** - SANGs to be maintained in accordance with the SANG Ecological Management Plans (and subsequent updates) required by Condition 22 of the planning permission;
- 6) **SAMM Contributions** - Developer to pay contributions per dwelling towards Strategic Access Management and Monitoring measures in accordance with the Council's TBH SPA Avoidance and Mitigation Strategy. Payments prior to occupation within relevant Development Zone/ Phase;

- 7) **Amenity Open Space** – Detailed specification and a timetable for the design, construction and delivery of the proposed Amenity Open Space within Development Zones A, C, D, E & F on Phasing Plan 2491-C-1106-SK3 shall be submitted as part of the Reserved Matters Application for the Development Zone to which it relates. The Amenity Open Space shall be provided as approved prior to the first occupation of that Development Zone.
- 8) **Equipped Play Space** - Detailed specification and a timetable for the design, construction and delivery of the proposed Equipped Play Space within Development Zones C & F on Phasing Plan 2491-C-1106-SK3 shall be submitted as part of the Reserved Matters Application for the Development Zone to which it is located within. The Equipped Play Space shall be provided as approved prior to the first occupation of that Development Zone.
- 9) **Transport (HCC)** – Developer to provide infrastructure and/or financial contributions to include;
 - i. A Transport Contribution to mitigate impact at Shoe Lane / Forge Lane and Government House Road / Shoe Lane (changes to road markings);
 - ii. Submission and implementation of a full Travel Plan/School Travel Plan, payment of the Travel Plan Approval and Monitoring fees, and the School Travel Plan Contribution, and provision of a surety mechanism to ensure implementation of the Travel Plan.

In the event of failure to complete the agreement by **27th March 2020** the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to **REFUSE** planning permission on the grounds that inadequate provision is made in respect of SPA mitigation, affordable housing, open space, play areas, and transport obligations and contributions.”

2.0 Recommendation

2.1 That the report be NOTED

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BACKGROUND PAPERS: Planning Application File 17/00914/OUTPP