

The Crescent, Southwood Business Park, Summit Avenue, Farnborough

1. Introduction

The purpose of this report is to seek authority to vary the terms of a legal agreement relating to affordable housing and S.106 contributions.

The Head of Planning, Economy and Strategic Housing will advise the Committee verbally of the up to date position on negotiations with the developer in this respect.

2. Background

Planning permission was granted on 19 March 2019 on completion of a S.106 agreement under reference 16/00837/FULPP for:

Comprehensive redevelopment of the site comprising demolition of existing buildings and site clearance and erection of 159 residential units (Use Class C3) (comprising 9 X 1-bedroom flats, 27 X 2-bedroom flats, 26 X 2-bedroom houses, 2 X 3-bedroom flats, 79 X 3-bedroom houses & 16 X 4-bedroom houses), associated parking and servicing, hard and soft landscaping, public amenity space and play areas, formation of vehicular accesses onto Southwood Road and Apollo Rise; and other associated works (Amended plans and updated supporting information received 19 December 2017)

The Development (as defined in the Section 106 Agreement) was commenced prior to 17 March 2020

3. Proposed amendments to the legal agreement

The developers have approached the Council seeking a deed of variation of the S.106 agreement in respect of

- i) The Registered Provider's mortgagee duties prior to disposing of any Affordable Housing Units.
- ii) The triggers for payment of financial contributions in respect of the Special Protection Area and off-site Public Open Space.

The reason for seeking the variations are expressed as to assist the Owner in coping with the financial effects of the Covid-19 Pandemic and to enable the Owner to commit to the Borough Council to proceed with the Development within agreed timescales to help secure the prompt delivery of market and affordable housing.

4. Planning considerations

The principal objective remains to ensure early implementation of the scheme, consequent delivery of Affordable and Open Market Housing, and payment in full of contributions set out in the agreement and necessary to render the development acceptable in Planning terms.

5. Recommendation

Subject to them being satisfied by 28th June 2020 that there is no substantive reason why this action should not proceed, **DELEGATE** to the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman of the Development Management Committee, authority to agree the details of and sign a deed of variation to the existing 106 agreement.

Tim Mills
Head of Economy, Planning and Strategic Housing