

PLANNING COMMITTEE

25TH APRIL 2019

REPORT OF THE DEVELOPMENT MANAGER

**13/00877/OUT: KING EDWARD VII UPPER SCHOOL, BURTON ROAD, MELTON
MOWBRAY**

REQUEST TO VARY S106 AGREEMENT

1. Introduction

1.1 The purpose of this report is to consider amendments to the Section 106 agreement associated with this application that have been requested by the applicant.

1.2 The purpose of this report is to invite the Committee to consider the applicant's request to vary the s 106 currently in place to:

- (i) The alteration of the level of affordable housing provision from 40% to 25% (30 units); and**
- (ii) The addition of a new financial contribution of £432,650 towards the Melton Mowbray Distributor Road**

2. Background

2.1 The planning application was considered at the meeting of 16th November 2014 and was approved, subject to the completion of a S106 Agreement to provide a 40% contribution to affordable housing and various conditions.

3. Update

3.1 Affordable housing is to be provided on the site but at a contribution of 25% in line with the new Melton Local Plan Policy C4 which sets out a variable requirement for affordable housing dependant on the 'value area' in which a site falls.

3.2 It is therefore requested to be amended to read as follows *"Affordable Dwelling/s means Twenty five per cent (25%) of the total number of Dwellings to be constructed as part of the Development as Affordable Housing in accordance with the following:*

I) Twenty-Five per cent (25%) of the Affordable Dwellings as Intermediate Housing on a shared ownership basis.

II) Seventy-Five per cent (75%) of the Affordable Dwellings on a social rented basis with at least Fifty per cent (50%) as Intermediate Affordable Rented Dwellings and the remainder as Social Rented Dwellings)

Or such alternative mix and numbers of Affordable Housing as shall be proposed by the Owner from time to time and approved by the Council”.

- 3.4 The applicants would have the option of resubmitting the application as ‘full’ or ‘outline’. Were the application to be considered afresh, under the terms of the current Local Plan policy the 5-10% requirement would apply.
- 3.5 An additional clause to be added titled Melton Mowbray Distributor Road Contribution stating “means the sum of four hundred and thirty two thousand, six hundred and fifty pounds (£432,650.00) towards the Melton Mowbray Distributor Road. This has been calculated for the scheme on the basis of a ‘per house’ contribution commensurate with other schemes in Melton Mowbray.
- 3.6 Policy IN1 of the adopted Local Plan and its explanatory text set out the importance of the MMDR to the realisation of Melton’s growth ambitions.

4. Assessment

- 4.1 The amendments have been requested as a result of the adoption of the Melton Local Plan bringing a change in policy and the consideration of contributions. As set out earlier, should this application have been submitted as a fresh planning application these are the contributions that would be requested. It is therefore considered expedient to agree to this amendment and avoid the need for a further application and the associated administration etc.

5. Recommendations

- 5.1 It is recommended that a Deed of Variation is granted to allow the amendment to the alteration of the level of affordable housing provision from 40% to 25% (30 units); and the addition of a new financial contribution of £432,650 towards the Melton Mowbray Distributor Road.**

Background documents:

- Report to the meeting of Planning Committee 16th November 2014
- Minutes of the meeting of 16th November 2014