

TWC/2011/0541

Land off, Peregrine Way, Leegomery, Telford, Shropshire,
Renewal of planning permission w2006/0291 for residential development

APPLICANT

Homes & Communities Agency,

RECEIVED

22/06/2011

PARISH

Hadley and Leegomery

WARD

Apley Castle

OFFICER Emma Green

1.0 PURPOSE OF THIS REPORT

1.1 The purpose of this report is to seek member's agreement to a variation of the existing S106 agreement for the Land of Peregrine Way, Apley. This report needs to be read in conjunction with previous reports W2006/0541 and TWC/2011/0541.

2.0 BACKGROUND

2.1 Outline planning permission W2006/0541 was granted on 2nd September 2008 for the residential development of the land. This application was accompanied by a S106 agreement which required amongst other things the provision of 30% affordable housing, comprising 15% rented social housing and 15% shared ownership housing.

2.2 There have been two subsequent deeds of variation to the S106. The first one (September 2008) resulted in a decrease in the level of affordable housing to 20% and a decrease in the level of financial contributions towards highway works. The second deed of variation (September 2012) related to the renewal of the planning application through application TWC/2011/0541 and made no changes to the affordable housing position.

3.0 PROPOSAL

3.1 This proposal seeks an alteration to the definition of "shared ownership". In the S106 agreement this means housing provided under shared ownership where a maximum of 75% of the equity is purchased by the tenant. The proposed definition would allow residents to purchase up to 100% of the property. However the detailed agreement would protect these homes as 'affordable' in the long term and ensure that they continue to be occupied by people who are in housing need.

4.0 SITE AND SURROUNDINGS

4.1 The site is located within the built up area of Telford approximately 2km to the north of Wellington Town Centre. To the west, east and south of the site are houses within Sparrowhawk Way, Peregrine Way, Pitnall Drive, Eider Drive and Shoveller Drive.

5. RELEVANT PLANNING HISTORY

- TWC/2015/0843: Reserved matters. Granted 17/3/17
- TWC/2011/0541: Renewal of planning permission W2006/0291 for residential development: Granted 21/09/2012
- W2006/0291: Renewal of planning permission w2006/0291 for residential development: Granted 02/09/2008
- New Towns Act 1981 – Section 7(1): Apley Castle residential development. Granted February 1988.

6.0 PLANNING POLICY CONTEXT:

6.1 National Planning Policy Framework

6.2 Core Strategy

- CS1: Homes

6.3 Wrekin Local Plan

- H23: Affordable Housing

6.4 Telford & Wrekin Local Plan (Submission Version)

- HO5: Affordable housing thresholds and percentages
- HO6: Delivery of affordable housing

7.0 PLANNING CONSIDERATIONS:

7.1 As members are aware the reserved matters application (TWC/2015/0843) for this development has recently been approved and the applicant is due to commence development shortly. The affordable housing within the development will be provided by the Walsall Housing Group (WHG) and they have advised that in order to ensure funding for the development it will be necessary for purchasers of the shared ownership properties to be able to purchase up to 100% of the house, as opposed to the 75% limit set out in the S106. The overall level of affordable housing and the split between shared ownership and rented social housing will not change.

7.2 Officers initially raised concerns with the applicant over whether the proposed variation would still ensure that the housing would be affordable in the long term. In order to ensure that this remains the case the following additional clauses have been agreed between officers and the applicant:

7.3 Where equity held is 75% or less:

WHG will ensure re-sale to eligible applicants (eligibility criteria to be approved by the Local Planning Authority). Priority will be given to applicants who have a housing need and are established local residents or who have a strong local connection. There will be a six week period for priority applicants,

after which property can be sold to non-priority (eligible) applicants. In all cases sales will be on a shared ownership basis.

7.4 Where equity held is between 76% and 100%:

WHG will repurchase equity to ensure that it owns a minimum 25% share of the Affordable Housing Unit and WHG will ensure re-sale to priority (eligible) applicants (eligibility criteria to be agreed) on a shared ownership basis. Priority will be given to applicants who are established local residents or who have a strong local connection. There will be a twelve week period for priority applicants, after which property can be sold to non-priority applicants. In all cases sales will be on a shared ownership basis.

7.5 In addition:

- Properties for resale will be advertised through the 'Help to Buy' website
- Sales period to start from the date of first advert on 'Help to Buy'.
- Agreement will be required regarding what action by purchaser counts as a confirmation of sale etc.
- WHG to provide standard monitoring report every six months.

7.6 The proposed changes would ensure that the shared ownership homes remain affordable for people in housing need in the long term. This is by means of the Registered Provider controlling any resale to ensure that it is purchased by a qualifying applicant and reacquiring up to 25% of the equity. This means that that whilst an occupier could purchase up to 100% of the Affordable Housing Unit in the event of any occupier choosing to move out/sell their share then there would be obligations in force to ensure that the Affordable Housing Unit is resold to a person who satisfies the Affordable criteria so the Affordable Housing Units are not lost to the Open Market.

8.0 RECOMMENDATION

8.1 That the section 106 Agreement be varied so that the definition of shared ownership be varied to allow for up to 100% ownership, subject to the insertion of the additional clauses outlined above.