

## **Variation of Section 106 Agreement - Land South of Cockaynes Lane, Alresford**

### **TOWN AND COUNTRY PLANNING ACT 1990**

<b>APPLICATION NUMBER:</b>	<b>16/00671/FUL and 16/00656/FUL</b>
<b>PROPOSAL:</b>	<b>Erection of 17 dwellings for use as residential and holiday accommodation (C3 use); restoration of park landscape; bunding; re-grading of 9 hectares of land; construction and alterations to access driveway; landscaping and all ancillary works. and Demolition of existing property at 7 Mill Street and the creation of 72 no. two, three and four bedroom houses, plus associated roads, car parking, garages and landscaping.</b>
<b>LOCATION:</b>	<b>The Priory, St Osyth, Clacton on Sea</b>

### Proposal

To vary the terms of the Section 106 Agreement dated 14<sup>th</sup> March 2018 to allow changes that will make the agreement applicable to future planning permissions at the site.

The variation to the S106 agreement ensures that the agreement will apply to new planning permissions granted here and includes a small area of additional land within which new planning applications can be submitted.

### Background

Planning permission was granted for the erection of 17 dwellings for use as residential and holiday accommodation (C3 use); restoration of park landscape; bunding; re-grading of 9 hectares of land; construction and alterations to access driveway; landscaping and all ancillary works in the park at the Priory. Through a separate planning application planning permission was granted for the demolition of existing property at 7 Mill Street and the creation of 72 no. two, three and four bedroom houses, plus associated roads, car parking, garages and landscaping. Both planning permissions are subject to the S106 agreement dated 14<sup>th</sup> March 2018.

The current S106 agreement completed in relation to the grant of planning permission for enabling development at St Osyth Priory relates only to the original planning permissions. The grant of any new planning permissions to vary the original scheme would create the need to draft a new agreement in order to secure the enabling contributions and other obligations. The current S106 agreement also prevents planning applications being submitted on any land outside a tightly defined boundary in West Field. Any variations to the original planning permission that alter that boundary give rise to the need for a new S106 agreement.

The variation to the S106 agreement ensures that the agreement will apply to new planning permissions granted here and includes a small area of additional land the

area within which new planning applications can be submitted. The Council retains the power to either approve or refuse planning permission.

Recommendation

That the S106 agreement is varied as described above.

The changes will ensure that the provisions of the existing agreement are also required in relation to amended schemes that might be granted permission in the future without the need for amendment of the agreement. This will reduce the administration and costs associated with such changes.

Signed



Head of Planning

Dated 19 November 2018