

Variation of Section 106 Agreement – Land at The Street, Little Clacton

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NUMBER:	APP/P1560/W/16/3156070 (15/01550/OUT)
PROPOSAL:	Residential development of up to 98 dwellings.
LOCATION:	Land at The Street, Little Clacton, Essex, CO16 9LT

Proposal

To vary the terms of the Unilateral Undertaking dated 2nd December 2016 to allow minor changes to the wording of the affordable housing provisions to reflect the provision of 1 bedroom affordable units instead for 2 bedroom units.

TDC Housing has confirmed that they would prefer the bungalows to be delivered with 1 larger bedroom and more living space as opposed to two smaller bedrooms.

Background

Planning permission was granted at appeal on 4th January 2017, subject to Section 106 Agreement dated 2nd December 2016. The Section 106 Agreement relates to the provision of an education contribution, a healthcare contribution, affordable housing provision and public recreational space.

The applicant wishes to amend the 'Affordable Housing Dwelling' definition to secure the provision of 7 no. x 1 bed units rather than 7 no. x 2 bed units as stated in the existing undertaking.

The required Deed of Variation represents a minor change to the current undertaking and is acceptable to the Council.

Recommendation

As this is a minor change that does not affect the provision, number, or delivery of affordable housing units the proposal would remain in accordance with Saved Policy HG4 of the Tendring District Local Plan (2007) and Draft Policy LP5 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The developer has agreed to cover the Council's legal costs.

It is therefore reasonable for the Council to enter in to the Deed of Variation in the circumstances.

Signed.....  Head of Planning

Dated..... 16.07.19.....