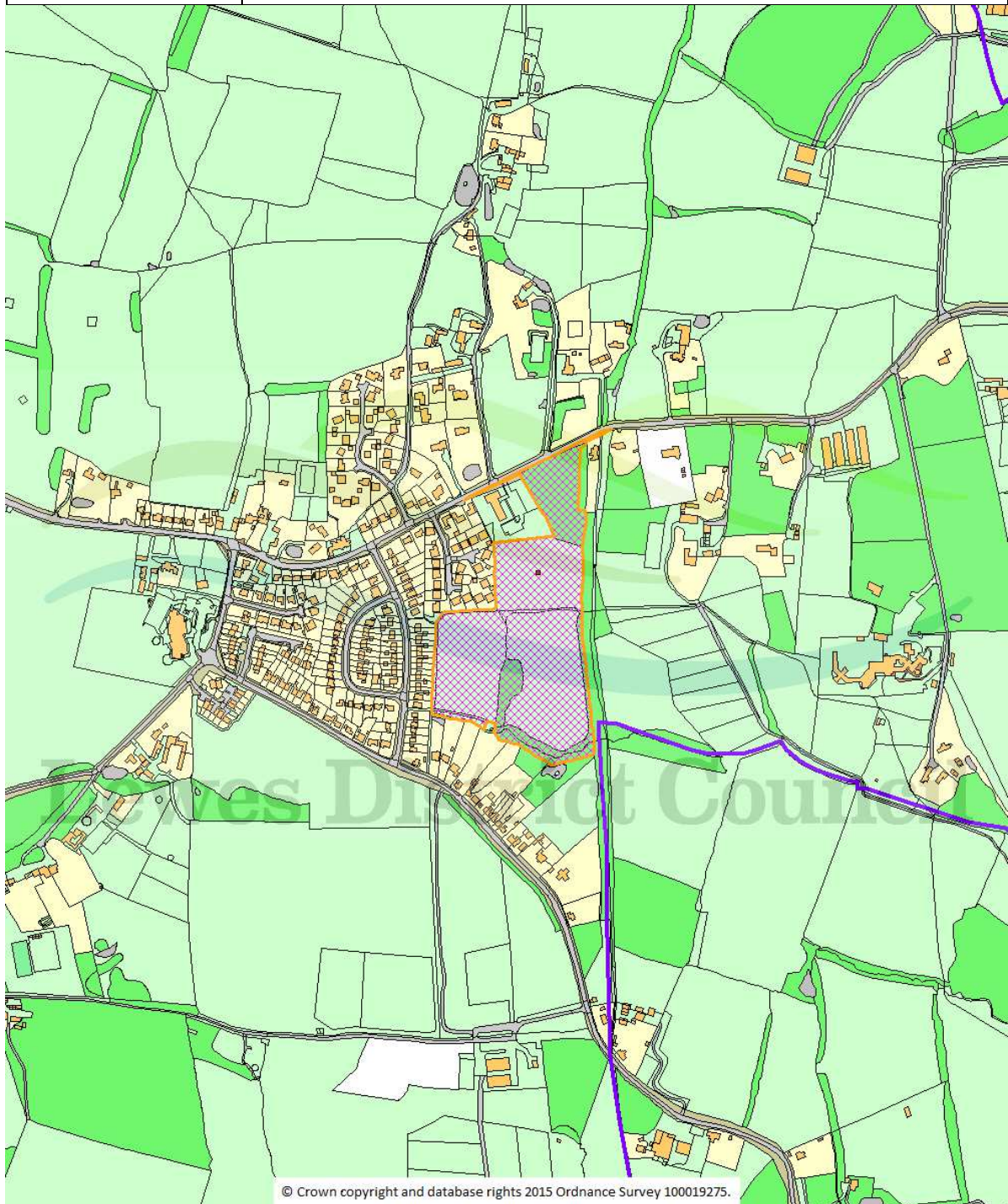


APPLICATION NUMBER:	LW/17/0264	ITEM NUMBER:	14
APPLICANTS NAME(S):	Amicus Horizon	PARISH / WARD:	Wivelsfield / Chailey & Wivelsfield
PROPOSAL:	Modification of Planning Obligation for Application to vary Section 106 planning obligation attached to planning approval LW/13/0720 (Erection of up to 75 two, three and four bedroom dwellings to include affordable housing, access and public open space)		
SITE ADDRESS:	Land Adjoining North Common Road Wivelsfield Green East Sussex		
GRID REF:	TQ 35 19		



1. SITE DESCRIPTION / PROPOSAL

1.1 In 2013 an application (LW/13/0720) was submitted to the provision of up to 75 two, three and four bedroom dwellings to include affordable housing, access and public open space. Following refusal by the planning committee the decision an appeal was lodged which was upheld and permission granted on 17 November 2014. Development is nearing completion on site.

2. RELEVANT POLICIES

LDLP: – CP1 – Affordable Housing

3. PLANNING HISTORY

LW/15/0752 - Erection of 75 dwellings: reserved matters relating to appearance, landscaping, layout and scale - **Approved**

LW/14/0454 - Erection of 30 x two, three and four bedroom dwellings to include affordable housing, access and public open space. - **Refused**

LW/13/0720 - Erection of up to 75 two, three and four bedroom dwellings to include affordable housing, access and public open space - **Refused**

LW/03/1991 - Outline Application for a mixed use development to provide land for educational purposes (primary school), community facilities and residential development together with associated access. - **Refused**

LW/91/0745 - Outline application for proposed housing development. - **Refused**

LW/90/0625 - Outline application for housing development. - **Refused**

LW/80/1794 - Outline Application for residential development. - **Refused**

LW/80/1790 - Outline Application for residential development. (Address Continues) And Land Adjoining North Common Road And Site of The Old Cottage, Redwood and Twin Pines North Common Road. - **Refused**

E/72/0288 - Outline Application for residential development. - **Refused**

E/71/0633 - Outline Application for erection of houses and bungalows and laying of roads and services. - **Refused**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Wivelsfield Parish Council – At its meeting of 8 May, Wivelsfield Parish Council resolved to object to this application as it feels that the content of the original Section 106 Agreement should be honoured.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

Not applicable.

6. PLANNING CONSIDERATIONS

6.1 An application seeking a Deed of Variation (DoV) to the original legal agreement has been submitted which is seeking to cover a number of alterations to the agreement which would allow greater flexibility to source development finance. Officers are satisfied that the negotiated DOV provides adequate controls to ensure that the on-site affordable housing is retained as affordable housing.

6.2 There are no proposed changes to the number or mix of affordable units already agreed with the Council's Housing Manager, and which are clearly set out within the S106 agreement.

6.3 The comments from the Parish Council have been noted. However there would be no changes to the number or mix of affordable units already agreed with the Council's Housing Manager, and which are clearly set out within the S106 agreement, and therefore the objectives of the S106 agreement as originally agreed will be honoured and remain.

7. RECOMMENDATION

The application for the DoV is therefore recommended for approval.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Additional Documents	22 March 2017	AGREEMENT
Location Plan	22 March 2017	
Additional Documents	18 April 2017	DETAILS OF VARIATION
Additional Documents	18 April 2017	DRAFT DEED OF VARIATION