

**FIRST SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**21<sup>st</sup> May 2024**

**Agenda Item 4**

**Application Ref. 23/00771/FUL**

**Land at High Street / Acacia Avenue, Knutton**

Since the publication of the main agenda report the applicant has requested that the affordable housing be secured via a condition rather than by a Section 106 agreement. The reason for this is that Homes England will not provide grant funding for a scheme where the affordable housing is secured by a Section 106 and therefore, the scheme would not be delivered.

In addition, two further letters of objection have been received which raise concerns regarding the loss of trees, hedgerows and open space, as well as the impact on highway safety and ecology. Reference is made to 5 mature trees that have recently been lost due to storm damage.

Officer response

It is accepted that Homes England grant funding cannot be used for affordable housing secured via a S106 agreement and that this scheme, which proposes 100% affordable housing, would not be viable without such funding.

It is generally accepted that affordable housing can be either secured by planning condition or by a S106 agreement and this Council has previously accepted the use of a condition in cases similar to this.

With respect of the letters of representation, while it is noted that some trees within the site have been lost due to storm damage, this is beyond the control of either the applicant or the LPA. All other matters raised have already been addressed within the agenda report.

**Revised Recommendation**

**(A) Subject to the applicant entering into a Section 106 obligation by 19<sup>th</sup> July 2024 to secure the management of the on-site Public Open Space,**

**PERMIT the application subject to conditions relating to the following matters:-**

- 1. Standard time limit for commencement of development;**
- 2. Approved plans;**
- 3. Facing and roofing materials;**
- 4. Boundary treatments**
- 5. Hardstandings;**
- 6. Landscaping Scheme;**
- 7. Provision of access, internal roads, private drives and parking areas;**
- 8. Surfacing materials and surface water drainage for the private drives and parking areas;**
- 9. Secure cycle storage;**
- 10. Electric vehicle charging provision;**
- 11. Highway & Environmental Construction Management Plan (CMP);**
- 12. Any other necessary highway related conditions**
- 13. Tree protection measures;**
- 14. Prior approval of detailed plans for areas of open space and play equipment;**
- 15. Contaminated land;**

16. Detailed surface water drainage scheme;
17. Provision of bat and bird boxes and sparrow terraces as per enhancements plan;
18. Waste storage and collection arrangements
19. Affordable Housing Provision

(B) Should the matters referred to in (A) above not be secured within the above period, then the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure sustainable development objectives, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.